

A N
ABSTRACT
1790 Of all SUCH *Trade*
ACTS
OF
Parliament,
Now in FORCE,
As Relate to the
Admiralty
AND
Navy of England.

LONDON:

Printed by S. Budge in Austin Friars.
M DC XC VII.

ABSTRACT

OF THE

ACTS

OF

Parliament

Now in FORCE

As Related to the

Amiralty

AND

Navy of England

LONDON

Printed by A. Smith in Pall Mall Street.

MDCXC VII

A

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An

In: AN: Fleet
ABSTRACT
 AND

Abridgement of such Statutes
 as are now in Force, and Con-
 cern the Lord High Admiral of
England, Commissioners for Exe-
 cuting the Office of Lord High
 Admiral; and the Jurisdiction of
 the Admiralty of *England*; The
 Commissioners of the Navy; The
 Commissioners for Registering
 Seamen; The Navy of *England*,
 and Sailers and Mariners therein.

Anno 3 Edw. I. cap. iv.

Concerning Wreck at Sea: Wreck.
 Where a Man, Dog or Cat,
 Escape out of the Ship Quick,
 that Ship or Barge, &c. or any
 thing within them, shall not be ad-
 judged Wreck; but the Goods shall
 be

Lord who
Claimeth
Wreck.

be saved, and kept by the Usher of the Sheriff, Coroner, or the King's Bayliff; So that if any Sue for the said Goods, and prove they were his within a Year and a Day, they shall be restored without delay; And where Wreck belongs to any other than the King, he shall have it in like manner.

Anno 13 Rich. II. cap. v.

Admiral.

That the Admirals and their Deputies should not meddle of any thing done within the Realm, but only of a thing done upon the Sea, as it hath bin used in the time of the Honourable Prince Edward, Grandfather of Richard the Second.

Anno 15 Rich. II. cap. iii.

Admirals.

It is declared, That of all manner of Contracts, Pleas and Quarrels, and of all other things done, rising within the Bodies of Counties, as well by Land as by Water; and also Wreck of the Sea, The Admirals Court shall have no man-

Wrecks.



manner of Connissance, Power of Jurisdiction, but they to be determined by Laws of the Land, Not before Admiral. Nevertheless, of the Death of a Man, and of Mayhem ^{Murder, Mayhem.} done in great Ships, being in the main Stream of great Rivers, or ly beneath the first Bridge of the same Rivers near the Sea, the Admiral shall have Connissance, And also, to Arrest Ships in the great Floats for the great Voiages of the King and the Realm, saving always to the King all manner of Forfeitures, And he shall have also Jurisdiction of the said Floats during the said Voiages only. ^{Arrest Ships.} ^{Admiralty Jurisdiction of Floats.}

Anno 2 Hen. IV. cap. xi.

The Statute 13 Richard the Second confirmed, and Action given against the Admiral, &c. by Party grieved, is Prosecuted contrary to the Statute. ^{Action contra Admiral.}

Anno 27 Hen. VIII. cap. iv.

Pirates, Man-
slaughter.

Tryal of Pir-
racy.

Commission.

I. **T**he Statute recites the incon-
venience of Tryng of Py-
rates, Manslaughters at the Civil
Law, and Enacts, That all such Of-
fences done in or upon the High Sea,
or in any other River, Haven or
Creek, where the Admirall, &c. pre-
tend to have Jurisdiction, shall be
Inquired, Try'd and Determined in
such Shires as shall be limited in
King's Commission under the Great
Seal to Admirall, &c. Directed to
hear and Determine such Offences
according to Common Course of the
Laws of the Land.

Tryal.

Persons Con-
vict.

Judgment.

II. To enquire by Jury as if Of-
fences committed at Land, upon In-
dictment for such Offence, like Try-
al, &c. as in Case of Offences com-
mitted at Land: And Persons Con-
vict shall have and suffer such Pains
of Death, Loss of Lands, &c. as if
they had been Convicted of Felony or
Murder done on Land.

III. No Clergy or Sanctuary to be-
Clergy, Sanct-
uary. allowed.

IV.

IV. Proviso, That things taken for ^{Things taken} Necessity, Persons so taking shall ^{for necessity,} not be punished, if give Security for Payment.

V. If Commission directed with in ^{Cinque-Ports:} Jurisdiction of Cinque Ports, Then to be directed to the Lord Warden, &c.

In Case of such Commission with ^{Tryal in} in Cinque Ports, Tryal to be by the ^{Cinque Ports.} Inhabitants of Cinque-Ports.

Anno 28 Hen. VIII. cap. xv.

I. **R**Ecites where Traytors, ^{Pirates, Tray-} Rates, Thieves, Robbers, ^{tors.} Murderers and Confederates upon the Sea have escaped un-punished because of the difficulty of Proceedings before Lord Admiral according to Course of Civil Law, Directs ^{Directs Tryal.} Tryal by Commission under Great Seal, directed to the Lord High Ad- ^{Commission} miral and other, of Treasons, Fe- ^{to Admiral,} lonies, Robberies, Murders and Confederacies committed on Sea, &c. to hear and determine as the Common Law of Land directs.

Inquest by Ju-
ry. II. Commissioners have Authority
to Proceed by Inquest to take In-
dictments by Oath of Twelve Ju-
rors Inhabitants in County limited
in Commission, Such Tryal to be
Judgment. had, and Judgment on Persons
Convict, as if for like Offences at
Land.

Clergy. III. Proviso to take away Clergy
from Persons Convict on that
Commission.

Things taken
for necessity. IV. Like Direction for things ta-
ken for necessity, and giving Secu-
rity for Paiment, as in 27 Hen. 8.

V. Like Directions as 27 Hen. 8.
for Commissioners of Cinque Ports.

VI. Like Directions for Tryal on
such Commission by Inhabitants of
Cinque Ports.

Anno 2 & 3 Edward. VI. cap. vi.

AN Act that the Admiral of Eng-
land, nor any of his Officers,
shall not Exact any Sums of Mo-
ney for Licence to Trade to Ire-
land, &c.

First

Handwritten text on the left margin, partially visible and illegible.

First Recites, That for few years then past, there has bin taken by certain Officers of the Admiralty of such Merchants as practis'd Adventures into Island, Newfoundland, Ireland, and other Places commodious for Fishing, divers great Sums of Money; And whereas great Complaints thereof hath been made, To the end the more Plenty of Fish may be brought into the Realm, and the same may be had at a more reasonable Price.

It is Enacted, That neither the Admiral, nor any Officers nor Ministers of the Admiralty shall at any time hereafter Exact, &c. by himself or his Servants, &c. of any such Merchant or Fisherman, any sum or sums of Money, Doles or Chirds of Fish for any Licence to pass this Realm to the said Voyages, or any of them, upon pain of forfeiture for the first Offence treble the sum or summs of the Reward so received, for which Forfeiture the Party grieved, or any other Person to sue for the same, the King to have one Moiety, and the Party grieved the other, and no Protection to be allowed for the second Offence, the Party offending to forfeit his or their

Not to Exact.

Forfeiture.

Given to Party grieved.

Second Offence.

Punishment.

or their Offices in the Admiralty,
and to make Fine and Ransom.

Anno 1 & 2 Phil. & Mar. cap. v.

Proviso.

Admiral's Ju-
risdiction fa-
ved.

AN Act to restrain carrying of
Corn, Victuals and Wood o-
ver the Seas, It Recites the Mis-
chief, and gives Forfeiture of Ship
and Goods in Case of Transporta-
tion without Licence; enables Justi-
ces of the Peace to hear and deter-
mine Offences against that Act, and
in it is a Proviso, That that Act
shall not be prejudicial unto the
Lord Admiral, or the King and
Queens Jurisdiction of Admiralty;
but that the Lord High Admiral or
Deputies may execute all kind of
Jurisdiction belonging to the Sea,
according as might have bin done
before the making of this Statute.

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Anno 5 Eliz. cap. v.

An Act touching Politick Constitutions of the Navy.

THIS Act only provides an Encouragement for Fishing, and for the Transportation thereof into *England*: And also of Corn, and other Native Commodities, and hinders the Importation of divers Goods into *England*, but no way concerns the Admiralty or Navy, only in these *Sections* following:

Sect. 27. Where doubt has bin made whether 18 Hen. 6. cap. 19. herebefore made against Soldiers retained departing without Licence from their Captain did extend to Mariners and Gunners; It is Enacted and Declared, That the said Statute of 18 Hen. 6. in all Pains and other Forfeitures, did and doth extend to every Mariner and Gunner having taken Press-Mages to serve the Queens Majesty her heirs and Successors.

18 Hen. 6. cap. 19. extends to Sailors.

C Nota:

Justices of
Peace to de-
termine the
Offences.

C Nota: The Punishment by the
18th of Hen. VI. is as Felony, and
the Justices of the Peace have the
Power to enquire and determine
those Offences.

Seamen not to
be forced to
be Soldiers.

Sect. 41. Fishermen and Mariners
shall not be Compelled to serve as
Soldiers at Land, except it shall be
to serve under any Captain of Ship
for Landing to do some special Ex-
ploit, or under any other Person hav-
ing Authority to withstand Invasion
of Enemies.

Saving of
Franchises.

Sect. 42. This Act not to take away
the Liberty, Franchises, Fines,
Issues, Wrecks of the Sea, or any
other Lawfull Inheritance or Free-
hold of any Person Natural or Po-
littick, for or touching any Liberty or
Jurisdiction Admirall, or for Conser-
vation of any Water.

Jurisdiction
Admiral.

The manner
of taking Fish-
ermen to be
Mariners for
the King.

Sect. 43. That no Fishermen to be
taken by Commission to serve her
Majesty as a Mariner on the Sea,
but the Commission be first brought
by her Highnesses Letter to her Two
Justices of Peace next Inhabiting
Sea Coasts, &c. where the said Ma-
riners are to be taken, to the intent
the Justice may choose out, and cause
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be returned such sufficient number of able Men as in Commission contained, to serve Her Majesty.

Proviso, That this Act shall give no greater Authority to Lord High Admiral, or to the Jurisdiction of the Admiralty than had before the making of this Statute.

No greater Authority to Admiral.

Anno 8 Eliz. cap. v.

FOr the avoiding tedious Suits in Civil and Marine Causes, All and every such Judgment and Sentence as shall be pronounced upon Appeal to be made in Chancery by Commissioners under half Seal, shall be final, and no Appeal to be made from the said Sentence.

Appeals from Admiralty.

Sentence of Delegates final.

Anno 13 Car. II. cap. ix.

AN Act for the establishing Articles and Orders for the Regulating and better Government of His Majesties Navy, Ships of War, and Forces by Sea.

For Regulating and better Govern.

C 3

Government of his Majesties Navies, Ships of War, and Forces by Sea, It is Enacted, That all and every the Articles and Orders in this Act mentioned, shall be only and respectively put in Execution and obeyed, &c.

The Publick
Worship of
God.

I. That all Commanders, &c. shall cause the Publick Worship of Almighty God, according to the Liturgy of the Church of England, to be solemnly and duly performed in their respective Ships, and that Prayers and Preaching by their respective Chaplains be performed diligently, and the Lord's Day observed according to Law.

Swearing and
Drunkennes.

II. Every Person in his Majesties Pay, using unlawful and rash Oaths, Cursings, Exrecrations, Drunkenness, Uncleanneſs, or other scandalous Actions in derogation of God's Honour, and Corruption of good Manners, shall be punished by Fine, Imprisonment or otherwise, as Court Marshal shall think fit.

Holding any
Foreign In-
telligence.

III. If any Officer, Mariner, Soldier, or other Person in the Fleet, shall give, hold or entertain any Intelligence to or with any King, Prince or State, being Enemy to,

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or any Person in Rebellion against his Majesty, &c. without directions or leave from the King's Majesty, the Lord High Admiral, Vice Admiral, or Commander in Chief of any Squadron, such Person or Persons so offending, shall be punished with Death.

IV. If any Letter or Message from any King, Foreign Prince, State or Potentate, being an Enemy to the King's Majesty, his Heirs and Successors, or on their behalf be conveyed to any inferiour Officer, Mariner or Soldier, or other, in the Fleet, and the said Officer, &c. do not within two hours, (having opportunity so to do) acquaint the superiour Commander of it; Or if a superiour Officer or Commander or Mariner being acquainted therewith by an inferiour Officer; Or himself in his own Person receiving a Letter, or Message from any such Enemy or Rebel, and shall not in convenient time reveal the same to the Admiral, Vice Admiral, or the Commander of the Squadron, Every such Person shall be punished with Death, or such other punishment as the Court Marshal shall think fit.

Letter or Message from any Foreign Prince, &c. Enemy to the King.

Relieving of
an Enemy.

V. No Person or Persons in the Fleet shall relieve an Enemy or Rebel in the time of War with Money, Victuals, Powder, Shot, Arms, Ammunition, or any other Supplies whatsoever, directly or indirectly, upon Pain of Death, or such Punishment as the Court Marshal shall think fit to impose.

Papers, Charter-parties, &c. taken in any Ship as Prize.

VI. All the Papers, Charter-parties, Bills of Lading, Passports and other Writings whatsoever, that shall be taken, seized or found aboard any Ship or Ships which shall be surprized or seized as Prize, shall be duly preserved, and not torn nor made away, but the very Originals sent up intirely and without fraud to the Court of Admiralty, or such other Commissioners as shall be appointed for that purpose, there to be viewed, made use of and proceeded upon according to Law, upon Pain of Loss of all the Shares of the Takers, and such other Punishment to be inflicted on the Offender therein as the Quality of the Offence and Misdemeanour shall be found to deserve, and the Court Marshal shall impose.

Prize Goods, or Goods seized for Prize.

VII. None in His Majesties Pay shall take out of any Prize, or Ship, or Goods seized, or for Prize any Money,

ney, Plate, Goods taking, or Tackle before Judgment thereof first past in Admiralty Court, but the full and entire account of the whole without Imbezlement shall be brought in, and Judgment pass intirely upon the whole without Fraud, upon pain of such punishment as shall be imposed by a Court Marshal, or Court of Admiralty, Excepting, That it shall be lawful for all Captains, Seamen and others, serving as aforesaid, to take and to have to themselves, as Pillage, without further, or other account to be given for the same, all such Goods and Merchandizes (other than Arms, Ammunition, Tackle, Furniture or Stores of such Ship) as shall be found by them in any Ship they shall fight or Take as Prize, upon or above the Gun-Deck of the said Ship, and not otherwise.

May take other Goods on Gun Deck (except Tackle, &c.) as Pillage.

VIII. None shall imbezle, steal or take away any Cables, Anchors, Sails, or any of the Ships Furniture, or any Powder, or any Arms or Ammunition of the Ship, upon Pain of Death, or other Punishment, as the quality of the Offence shall be found by a Court Martial.

Imbezling Cables, Anchors, &c.

Foreign Ships
taken as Prize
not making
Resistance.

IX. If any Foreign Ship or Vessel shall be taken as a Prize, that shall not fight or make Resistance, that in that Case none of the Captains, Masters or Mariners, being Foreigners, shall be strip'd of their Cloaths, or in any sort Pillaged, beaten or evilly intreated, upon Pain that the Person or Persons so offending shall forfeit double Damages, but the said Foreign Ships, and all the Goods so taken, shall be reserved entire to receive Judgment in the Admiralty Court according to Right and Justice.

The Duty of
Captains, &c.
upon Signal
of Fight.

X. Every Captain or Commander who upon Signal or Order of Fight or View or Sight of any of the Ships of the Enemy, Pirate or Rebel, or likelihood of Engagement, shall not put all things in the Ship in fit posture for the Fight, And shall not in his own Person, and according to his Place hearten and encourage the Inferiour Officers and Common Men to Fight courageously, and not to behave themselves faintly, shall be Cashier'd, And if he or they shall Yield to the Enemy, he or they so doing, shall suffer the Pains of Death, or such other Punishment as the Offence shall deserve.

Not to Yield,
or Cry for
Quarter.

[illegible]

XI. Every Captain or Commander, or other Officer, Seaman or Soldier, in any Ship, Frigate or Vessel of War shall duly observe the Commands of the Admiral, or other his Superiour or Commander of any Squadron, as well for the assailing or setting upon any Fleet, Squadron or Ships of the Enemy, Pirate or Rebel, or joining Battle with them, or making Defence against them, as all other the Commands of the Admiral, or other his superiour Commander, upon Pain to suffer Death or other Punishment, as the Quality of his Neglect or Offence shall deserve.

All Officers to observe the Commands of the Admiral, &c.

XII. Every Captain, and all other Officers, Mariners and Soldiers of every Ship, Frigate or Vessel of War that shall in Time of Fight or Engagement withdraw, keep back, or not come into the Fight, or Engage and do his Utmost to kill, take and dammage the Enemy, Pirate and Rebels, and assist and relieve all and every his Majesties Ships, shall for such Offence or Cowardice, or other disaffection, be Tried, and suffer Pains of Death, or other Punishment, as the circumstance of such

Officers that in time of Fight, shall not Fight, or withdraw.

Penalty.

D

Offence

Offence shall deserve, and the Court Marshal judge fit.

Officers and
Ships appointed
for Convoy,
their Duty.

XIII. The Captains, Officers and Seamen of all Ships appointed for Convoy and Guard of all Merchant Ships, or any other, shall diligently attend on that Charge without delay, according to their Instructions on that behalf; and whosoever shall be found faulty therein, and shall not faithfully perform the same, and defend the Ships and Goods in their Convoy, without either diverting to other Parts, or Occasions, or refusing or neglecting to Fight in their Defence if they be set upon or assailed, or running away Towardsly, and submitting those in their Convoy to Hazard and Peril, or shall Demand and Exact any Money or other Reward from any Merchant or Master for Convoying any such Ships or Vessels belonging to his Majesties Subjects, shall be Condemned to make Reparation of the Damage to the Merchants, Owners or others, as the Court of Admiralty shall adjudge, And also be punished criminally, according to the Quality of their Offences, be it by Pain of Death, or other Punishment, according as shall be adjudged fit by Court Marshal.

XIV. Whatever Person or Persons in or belonging to the Fleet, either through Cowardice, Negligence or Disaffection, shall forbear to pursue the Chase of any Enemy or Rebel, or Pirate, beaten or flying, or shall not relieve or assist a known Friend in View, to the utmost of his power, shall be punished with Death, or otherwise, as a Court Marshal shall find fit.

Penalty for not chasing an Enemy, or not relieving a Friend.

XV. When at any Time, Service or Action shall be Commanded, no Man shall presume to stop, or put backward, or discourage the said Service and Action by pretence of Arrears of Wages, or upon any pretence of Wages whatsoever, upon pain of Death.

Service commanded, shall not be stop'd or discourag'd

XVI. All Sea-Captains, Officers and Seamen that shall betray their Trust, or turn to the Enemy, Pirate or Rebel, and either run away with the Ship or any Ordinance, Ammunition, or Provision, to the weakening of the Service, or yield the same to the Enemy, Pirate or Rebels, shall be punished with Death.

None shall betray their Trust, or yield to the Enemy.

Deserting the
Service, or
running away,
or enticing o-
thers so to do.

XVII. All Sea-Captains, Officers
or Mariners that shall Desert the
Service or Employment in their
Ships; or shall run away, or entice
others so to do, shall be punished with
Death.

Spies.

XVIII. All Persons whatsoever
that shall come, or be found in the
nature of Spies to bring any sedu-
cing Letters or Messages from any
Enemy, or Rebel, or shall attempt or
endeavour to Corrupt any Captain,
Officer or Mariner, or other of the
Navy or Fleet, to betray his or their
Trust, and Yield up any Ship, Am-
munition, or Men to the Enemy or
Rebel shall be punished with Death.

Their punish-
ment.

Mutiny, Sedi-
tion.

XIX. No Person in or belonging
to the Fleet shall Utter any Words
of Sedition, or Mutiny, or endea-
vour to make any Mutinous Assem-
blies upon any Pretence whatsoever,
upon pain of Death.

Punishment.

Concealers of
Traiterous, or
Mutinous Pra-
ctices or
Words.

XX. No Person in or belonging to
the Fleet shall conceal any Trayter-
ous or Mutinous Practices, De-
signs or Words, or any Words spo-
ken by any to the prejudice of his
Majesty or his Government, or any
Words Practices or Designs tend-
ing

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ing to the hindrance of the Service,
but shall forthwith reveal the same
to his superiour, That a meet Pro-
ceeding may be had thereupon, upon
Pain of such Punishment as a Court
Martial shall find to be just. Punishment.

XXI. None shall presume to quar-
rel with his Superiour Officer, up-
on Pain of severe Punishment, nor
to strike any such upon Pain of
Death, or otherwise, as a Court
Martial shall find the nature of the
matter to deserve. Quarrelling
or striking a
superiour Of-
ficer.

XXII. If any of the Fleet find
cause of Complaint of the unwhole-
someness of the Victuals, or upon
other just grounds, he shall quietly
make the same known to his Supe-
riour, or Captain, or Commander in
chief, as the Occasion shall require,
That such present Remedy may be
had as the matter may require, and
the said Superiour or Commander
is to cause the same to be presently
remedied accordingly; But no Per-
son upon any such or other pretence,
shall privately stir up any disturbance
upon Pain of such severe Punish-
ment as a Court Martial shall think
fit to inflict. Unwholesom-
ness of Victu-
als.

XXIII.

Quarrelling
or provoking
Speeches.

Punishment.

XXIII. None shall quarrel or fight in the Ship, nor use reproachful or provoking Speeches tending to make any Quarrel or Disturbance upon Pain of Imprisonment, and such other Punishment as the Offence shall deserve, and the Court Martial shall impose.

Wastful Ex-
pences of Am-
munition.

Buyers and
Receivers.

XXIV. That there be no wastful Expence of any Powder, Shot, Ammunition, or other Stores in the Fleet, nor any Imbezlement thereof, but that the Stores and Provisions be carefully preserved, upon such Penalty by Fine, Imprisonment, or otherwise, upon the Offenders, Abettors, Buyers and Receivers, as shall be by a Court Martial found just in that behalf.

Care of Con-
ducting and
Steering Ships

Punishment.

XXV. That care be taken in the Conducting and Steering of Ships that through wilfulness, negligence or other defaults none of His Majesties Ships be stranded or run upon any Rocks or Sands, or split, or hazarded, upon Pain that such as shall be found guilty be punished by Fine, Imprisonment or otherwise, as the Offence by a Court Martial shall be Judged to deserve.

XXVI.

XXVI. All Persons that shall wilfully burn or set fire on any Ship or Magazine, or Store of Powder, or Ship, Boat, Ketch, Boys or Vessel, Tackle or Furniture thereto belonging, not appertaining to an Enemy or Rebel, shall be punished with Death.

Burning Ships &c.

Punishment for Ships.

Death.

XXVII. No Man in or belonging to the Fleet shall sleep upon his Watch, or negligently perform the Duty imposed on him, or forsake his Station, upon Pain of Death, or other Punishment as the circumstances of the Case shall require.

Captains &c. depending on Watch to be

Punishment.

XXVIII. All Murthers and wilful killing of any Person in the Ship shall be punished with Death.

Robbery and Murthers.

XXIX. All Robbery and Theft committed by any Person belonging to or in the Fleet, shall be punished with Death or otherwise, as the Court Martial upon Consideration shall find meet.

Death. Robbery and Theft. Punishment.

XXX. No Provost Marshal belonging to the Fleet shall refuse to receive or keep any Prisoner committed to his Charge, nor suffer him to Escape being once in his Custody.

Provost Marshal. Prisoners. Escape.

Punishment for Escape. Custody, nor dismiss him without order upon Pain of being liable to the same Punishment which should have been inflicted on the Party dismissed, or permitted to Escape, or such other Punishment as the Court Martial shall think fit.

Captains, &c. apprehending Offenders, &c. to be assisting. XXXI. All Captains, Officers and Seamen shall do their Endeavours to detect, apprehend and bring to Punishment all Offenders, and shall assist the Officers appointed for that purpose therein, upon Pain to be proceeded against and punished by the Court Martial at discretion.

Punishment. XXXII. If any Person or Persons shall commit the un-natural and detestable Sin of Buggery and Sodomy with Man or Beast, he shall be punished with Death without Mercy.

Death. XXXIII. All other Faults, Misdeemeanours and Disorders committed at Sea not mentioned in this Act, shall be punished according to the Laws and Customs in such Cases used at Sea.

Where Faults and Misdeemeanours have no Punishment prescribed. XXXIV. The Lord Admiral to have full power to grant Commissions to inferiour Vice-Admirals or Commanders in Chief of any Squadron,

mon of Ships, to call and assemble Court Martialls, consisting of Com-
 manders and Captains; and no Court Martial, where the pain of
 Death shall be inflicted, shall consist of less than 5 Captains at the least, the Admirals Lieutenant to be esteemed as a Captain; And in no Case where Sentence of Death shall pass by Vertue of this Act (Except in Case of Mutiny) there shall be Execution of Sentence of Death without the leave of the Lord High Admiral if Offence committed within Narrow Seas, but in Case of Offences committed in any Voyage beyond, where upon Sentence of Death, then Execution shall not be done but by order of Commander in Chief of that Fleet or Squadron wherein Sentence of Death was passed.

Court Marshal to consist of Commanders and Captains.

Five at least where Death.

Sentence of Death not to be inflicted without leave of Lord High Admiral.

Or of Commander of Squadron.

XXXV. That the Judge Advocate of any Fleet to have power to Administer an Oath to any Person or Witnesses in order to Examination or Tryal of the aforesaid Offences, and in the absence of a Judge Advocate the Court Marshal shall have full Power and Authority to appoint any Person to administer an Oath to the purpose aforesaid.

Judge Advocate to administer an Oath

Or Court Marshal to appoint one in absence of Advocate.

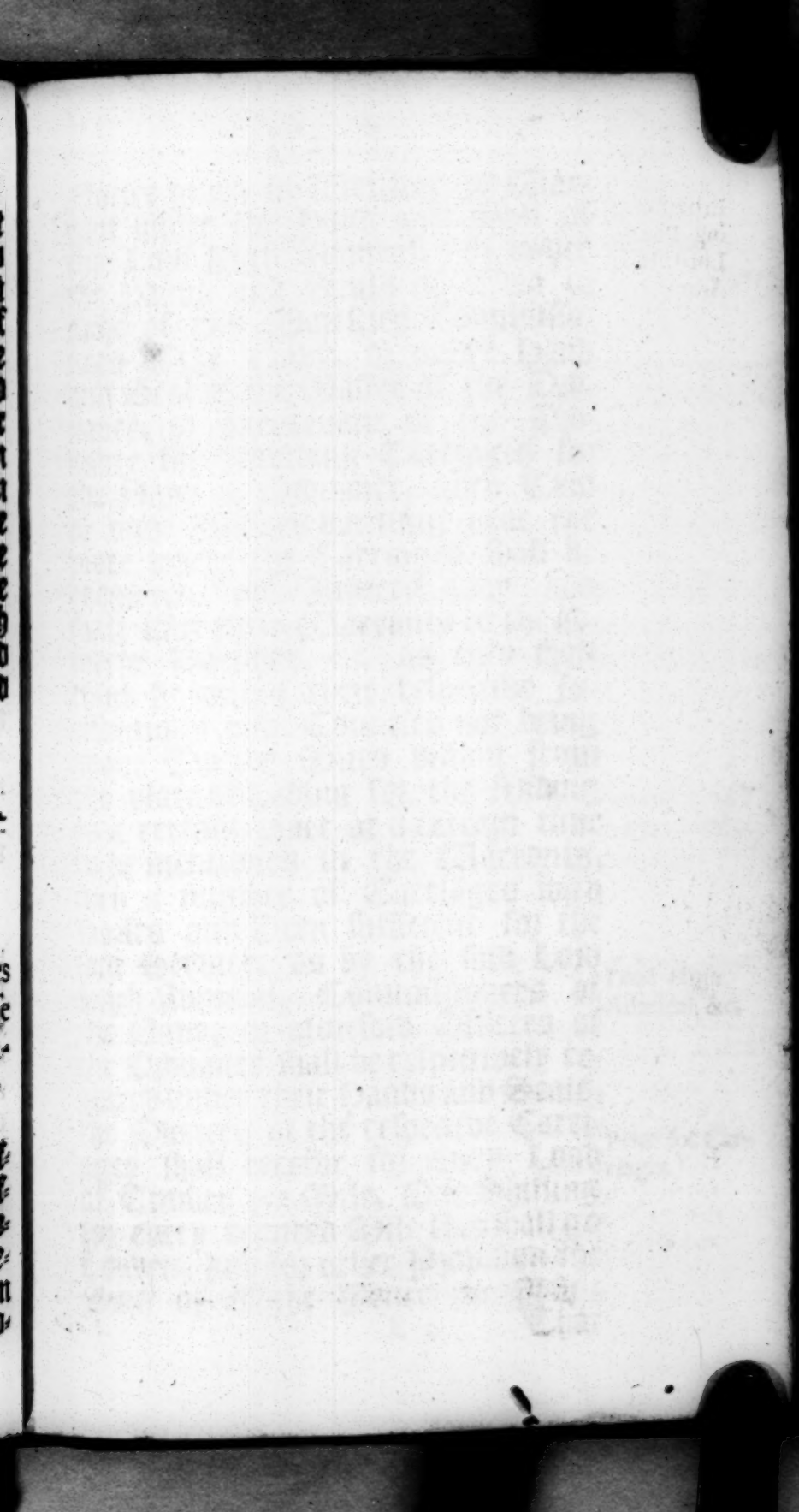
Proviso, touch-
ing Power of
Lord High
Admiral, &c.

XXXVI. Proviso, that this Act shall give no larger Power, &c. to the Lord High Admiral, &c. than they lawfully had before making of this Act, other than for such of the Offences mentioned and specified in the several Articles as hereafter shall be done in the Main Sea, or in Ships &c. being in the Main Stream of Great Rivers only beneath the Bridges of the same Rivers near the Sea within the Jurisdiction of the Admiralty, and Committed by such Persons as shall be in actual Pay and serve in His Majesties Fleet and Ships.

Anno 13 & 14 Car. II. cap. xx.

An Act for providing of Carriages by Land or by Water for the Use of His Majesties Navy and Ordnance.

How Carriages be provided for Navy and Ordnance **I**T is Enacted, That from and after the 24th of June 1662, as often as the Service of His Majesties Navy or Ordnance shall require any Carriages by Land, upon



Notice given in Writing by Warrant under the Hand and Seal of the Lord High Admiral, or under the Hands and Seals of Two or more of His Majesties Commissioners of the Navy, or under Hand and Seal of the Master of the Ordnance, or Lieutenant of the Ordnance for providing Carriages for the Navy or Ordnance, unto Two or more Justices dwelling near the place where the Carriages shall be required, the Justices may and shall issue their Warrants to the adjacent Parishes, &c. as they shall think fit within their respective Jurisdictions and Counties not being above Twelve Miles distant from the place of Lading for the sending to a certain place at a certain time to be mentioned in the Warrants, such a number of Carriages with Horses and Oxen sufficient for the said Service, as by the said Lord High Admiral, Commissioners of the Navy, or aforesaid Officers of the Ordnance shall be respectively required under their Hands and Seals, the Owners of the respective Carriages shall receive for every Load of Timber per Mile, One Shilling for every reputed Mile they shall go Laden, and for other Provision the Sum of Eight Pence per Mile;

Lord High
Admiral, &c.

Price for Car-
riages.

Pressing of
Ships and Vessels for Carriage.

That it shall be lawful for the Lord High Admiral by Warrant under his Hand and Seal, and for the aforesaid Principal Officers and Commissioners under their Hands and Seals of two or more, as also for the Master of the Ordnance, or for the Lieutenant of the Ordnance by Warrant under their Hands and Seals of either of them as often as His Majesties Service shall require Carriage by Water, to appoint such person as they shall judge fit to impress and take up such Ships, Boys or Vessels as shall be necessary for Accommodation of His Majesties Service, the Owners to be Paid by the Tun, as usually by Merchants, And if the Owners and His Majesties Officers cannot agree, Then the Rate to be settled by the Brotherhood of Trinity-House.

The Rates to be paid, and how to be settled.

Persons refusing to be punished, and before whom.

If any Subject refuse or neglect, on reasonable notice, to make Appearance with sufficient Carriages, or provide and furnish Ships or Lighters, &c. or shall after they have undertaken such service, neglect or delay the same, then upon due Proof, Conviction of such neglect and refusal, by the Oath of the Constable or other Officer, or two other credible Witnesses before the said Justices

ces or Mayor, or other chief Officer of the City, &c. for the Land Carriages: For the Water-Carriages by the Oath of the Person appointed by Lord High Admiral, the Principal Commissioners of the Navy, or Master, or Lieutenant of the Ordnance, or two Credible Witnesses before the Officers and Commissioners of his Majesties Navy, or Master, or Lieutenant of the Ordnance shall for every refusal forfeit the Sum of 20 s. for the Land Carriage, and for the Water Carriage Treble the Freight of such Ship, &c. not exceeding 50 l. in the whole, To be forthwith Levied in default of Payment to his Majesties Use by Warrant under the Hand of the aforesaid respective Officers before whom Proof and Conviction (by distress) rendering the Overplus, if any.

Provided, That no Horses, &c. Continuance shall be enforced to Travel more days ^{in service.} Journey from the Place they receive their Lading than expressed in Justices Warrant, And that ready payment shall be made at the Place of ^{Present Pay-} Lading, without delay, according to ^{ment.} the aforesaid Rates.

Provided, That in Case any Justice, chief Officer, Constable or Person by Lord High Admiral, ^{No Gifts or Reward to be taken to spare any one.} Com.

Commissioners of the Navy, and Officers of the Ordnance respectively, shall take any Gift or Reward to spare any Person, or shall injuriously charge any Person through Envy, &c. who ought not to make

No more Carriages, &c. to be taken than necessary.

such Carriages, or shall Impress more Carriages than necessary, or shall be commanded by his superiour Officer, upon conviction shall forfeit 10 l. to the Party grieved, to be sued for in his Majesties Court of Record, No Essoigne or Protection to be allowed, And in case any Person shall take upon him to Impress

No Person to Impress, other than Authorized in this Act.

any Horses, &c. Ships, Boats, &c. other than the Persons impower'd as aforesaid, upon Conviction shall suffer Punishment in Stat. 12 Car. II.

Penalty 12 Car. II. cap. 24

cap. 24. which ordains Commitment by Justices of Offender, and Treble Costs and Dammitages to Party grieved.

Ships exempted.

Ships and Vessels Freightied by Charter-Party, bona Fide, if other Ships in Port sitting for Service, or any Vessel laden with any Goods outward-bound, shall not be liable to Impress for any the Services aforesaid.

Continuance of the Act.

This Act to be in Force until the end of next Session of Parliament, Revived for Seven Years per Statut. Anno 1 Jac. II. & 4 Will. & Mar. Inhabitants

bitants of New Forest of Southamp-
ton may be allowed 4 d. for every
Mile, for so many Miles as their
Carriages shall go empty to Place
of Lading.

Anno 16 Car. II. cap. v.

An Act to prevent the disturbances
of Seamen and others: And to
preserve the Stores belonging to
His Majesties Navy Royal.

I. **R**ecites divers Fightings, Quar-
rels, &c. do often happen in
His Majesties Yards, Offices, &c.
belonging to the Navy, and frequent
disorders happen in the Office of the
Treasury of the Navy in Pay-Days
in London, &c. either by the Turbu-
lency of Seamen, or Rudeness of
Officers when questioned by the
Commissioners about the Imbezle-
ment of Stores, Provisions, &c.

Recitals of di-
sturbances in
the Navy,
Yards, &c.

II. It is Enacted, That the Treasu-
rer, Comptroller, Surveyor, Clerk
of the Accounts, and the Commis-
sioners of the Navy for the time be-
ing, or any Two or more of them,
have Power to Examine all such
Offen-

Who may pu-
nish Offenders

Punishment.

Offenders, or Persons, whom they upon their Inquiry or Examination, or in view in their Presence shall find hereafter to make, or have made any Disturbance, Fighting or Quarrelling in the Yards or Offices aforesaid on Pay-Days, or on other Occasions relating to the Naval Services, as followeth, viz. They or any Two of them may punish any of the said Offences by Fine, Imprisonment, or either of them, the Fine not exceeding 20 s. and the Imprisonment not exceeding one Week, and have power to Commit to next Goal, or to Messenger attending on them.

Power to discharge Fine, &c.

To Imprison for non-payment.
Proceedings on Oath.

III. The Commissioners or the greater part then present, have power to discharge the said Fine or Imprisonment, if they shall think fit, and for non payment to imprison the Party offending till Paid; To be Paid to the use of the Chest at Chatham, the Proceedings to be on Oath.

Binding to good Behaviour.

IV. That the Officers or any Two of them (in case of need for greater Example) may bind to the Good Behaviour, with or without Securities, as Occasion shall be.

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v.

V. Whereas His Majesties Imbezling
Stores, &c. belonging to the Navy Stores.
are imbezled or filched away.

It is Enacted, That the Principal Commissioners of Treasurers, or
any Two, or more, by Warrant under
their Hands and Seals, have
power in like manner to enquire and
search for the same in all places, as
Justices of the Peace may do in Ca-
ses of Felony, and punish the Of-
fenders by such Fine and Imprison-
ment as aforesaid, and cause the
Goods to be brought in again: If
Offence be of such Nature as to re-
quire higher Punishment, Then that
they or any Two or more of them
may commit Offendor to Goal, or
to the Custody of their Messenger
till the Offendor enter into Recog-
nizance with Sureties according to
the Nature of the Offence, to ap-
pear and answer the same in the Ex-
chequer or other Court where His
Majesty shall question him or them
for the same within one Year next.

The Commissioners or any Two of
them may put in Execution this Act
in all places where they hold Offices
for the King, as well within the Li-
berties, as without, This Act to
F con-
Power of
Commissioners within
Liberties.

continue from the first of June 1664
for Two Years, continued per Statut.
19 Car. II. cap. vii.

Anno 16 Car. II. cap. vi.

An Act to prevent the Delivering
Up of Merchant Ships, and for
the better Encouragement of Cap-
tains, &c. to defend their Ships.

Sect. 10.
Incourage-
ment for sai-
lers defending
Merchant
Ships.

IT is Enacted, That when any En-
glish Ship shall have been defend-
ed by Fight, and brought to her de-
signed Ports, in which Fight any of
the Officers or Seamen shall be
wounded, It shall be lawful for
Judge of the Admiralty, &c. at her
return, to call before him the Adven-
turers or Owners of the Ships and
Goods so defended, and by advice
with them to levy and raise such sums
as himself shall think reasonable, not
exceeding 2 per Cent. of the prime
Cost, and to distribute the same with
the consent of Three of the Owners,
to the Captain, Officers and Sai-
lers of the said Ship, and Widows
and Children of Parties slain, the
Act to continue for Three Years, con-
tinued per Statut. 22 Car. II. cap. xi.

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Anno 19 Car. II. cap. vii.

An Act to prevent Disturbances of Seamen and others, and to preserve the Stores belonging to His Majesties Navy Royal,

THE same as the Statut. 16 Car. II. Sect. 6. cap. v. and further Enacts, **That** Encourage-
for better encouragement of Mari- ment for Ma-
ners &c. Serving in His Majesties riners, &c.
Fleet &c. No Ordinary, Register Ordinary, &c.
&c. shall take or receive of the Cre- 12 d. for Pro-
cutor or Administrator, dying in the bate, Will, &c.
pay of His Majesties Navy above the
Sum of 12 d. for the Probate of any
Will or granting Administration or
any matter Relating to same, upon
Forfeiture of 10 l. to Party griev-
ed, altered and repealed by Statut. 22,
& 23 Car. II. cap. 2, reviv'd.

This Act to continue Two Years,
but afterward reviv'd per Statut. 22 & Sect. 7.
23 Car II. cap. xxiii.

Anno

Anno 22 Car. II. cap. v.

An Act for the taking away the benefit of Clergy from such as steal Cloth from the Rack, and from such as shall Steal or Imbezzle His Majesties Ammunition and Stores.

Sect. 2.

31 Eliz.cap.4.
Imbezlement
of Munition,
and Habili-
ments of War.

Felony.

Sect. 3.

Imbezlers,&c.
hindered from
Clergy.

Whereas by an Act made 31 Eliz. It is amongst other things Enacted, That if any Person having the Charge or Custody of any Armour, Ordnance, Munition, Shot, Powder or Habillments of War belonging to the Queen &c. Or if any Victuals provided for the Victualing of any Soldiers, Gunners, Mariners or Miners, shall for any Lucre or Gain, or willingly, &c. Imbezzle, Purloyn or convey away any the same Armour, Ordnance, Munition, Shot or Powder Habillment of War or Victuals, to the Value of 20 s. at one or several times, the Offence shall be Judged Felony, And the Offendor to suffer as in Case of Felony.

It is Enacted, That no Person who shall from and after the 25th May 1670, be Indicted for any Offence Committed against the said recited Act or shall Feloniously steal or imbezzle any of His Majesties Sayles
Cor.

Cordage or any other of his Majesties Naval Stores to the Value of Twenty Shillings and thereof shall be Convicted by Jury shall not have benefit of Clergy.

Anno 22 & 23 Car. II. cap. v.

An Act to revive an Act to prevent the disturbance of Seamen and others, and to preserve the Stores belonging to His Majesties Navy Royal, with some Alterations and Additions.

Recital of the Act made 19 Car. II. cap. 7.

Stat. 19 Car. II
cap. 7.

Recital, That the said Statute is found useful, It's Enacted, That all the said Act (excepting the Clause about Administrations and Probates of Wills, &c.) shall have full force of an Act during the continuance of this Act.

Recites, That whereas ill disposed Persons carry-
Persons upon pretence of carrying ing Naval
his Majesties Naval Goods Pro- Goods.
visions &c. from his Majesties
Vards Wharves &c. to his Maje-
sties Ships or such Persons as are
employed to re-carry or remove from
the said Ships such Naval Goods
Pro-

Provision &c. to His Majesties
 Vards Wharves &c. do frequently
 imbezle steal and carry them away
 where they cannot be found and re-
 move themselves to Places unknown
 before they can be convict thereof by
 reason the Witnesses that should
 prove the Fact are bound forth to
 Sea, or otherwise imployed.

No Person to
 imbezle Kings
 Stores.

That Justice may be more speedily
 done, It is Enacted, That the Trea-
 surer, Comptroller, Surveyor, Clerk
 of the Accounts, and Commissio-
 ners of the Navy, or any one or
 more of them, where the Value of
 the Goods so imbezled, taken or car-
 ried away shall be under the Value
 of Twenty Shillings, shall have
 power on the Oath of Two or more
 Witnesses or Confession of Party
 offending, to Convict him, and by
 Writing under his or their Hands
 and Seals, to impose such Fine or
 Fines on Persons offending and
 Convicted as aforesaid, as to any
 one of them shall seem meet (the said
 Fine or Fines not exceeding double
 the Value of the said Naval Goods
 so imbezled or carried away) the Fine
 to be levied by Distress by Warrant
 of him or them that shall Convict the
 Offendor, in case of no Goods to
 Commit the Party offending by
 War:

Power to Con-
 vict, Fine.

Warrant under his or their Hands before whom Convicted, to Imprison in the next Goal for any time not exceeding Three Months without Bail or Mainprize.

For want of Distress to imprison.

That the said Treasurer, Comptroller, &c. or any one or more of them, upon Oath of Two or more Credible Witnesses testifying that his Majesties Goods, Stores and Naval Provisions are conveyed into any Ship whatsoever, and mentioning the Name of any such Ship being at Anchor, and not ready to Sail that Tyde within any of the Roads, Creeks, &c. within his Majesties Dominions, any Person by their Warrant, in which Warrant the Quantity or Qualities of such Goods shall be specified, thereunto authorized in the Day time in Presence of any known Officer of the Admiralty, shall have full power to go on Board any such Ships, &c. being within the places aforesaid, and in Case of Resistance and Refusal to be made on Demand, to enter and break open the Hatches and Cabbings or other Places of the Ship, and Search therein for any such Stores, Ammunition, &c. or any other Naval Goods belonging to the Navy, which have been imbezled and taken away,

Power to enter into any Ship in Day time and Search for Goods.

Warrant, the manner of it.

In Presence of known Officer of Admiralty.

Break open Hatches, &c.

Remedy to
Party griev'd.

away; And the same to Seize and carry into his Majesties Stores, to be applied to the King's Use, unless the Officers and Commissioners of the Navy, upon hearing the matter, shall find they were unduly seized, and thereupon restore them to Party claiming, and reserves liberty to the Party griev'd with the Judgment of Commissioners to take his Remedy for the said Goods so Seized by due Course of Law.

No Person to Personate any Seaman, &c. in the Presence of any Commissioners, &c. of Navy, in order to receive Money.

Whatsoever Person shall be discovered fraudulently to personate any Seaman, Soldier, Artificer or Workman aforesaid in the Presence of any of his Majesties Commissioners aforesaid, or in Presence of Pay-Master or Cashier of his Navy, in order to receive any Money due from his Majesty to the Seaman, Soldier, &c. aforesaid, the Person offending may be immediately Committed to Prison by any the Principal Officers and Commissioners until he or they find Bayl to answer the same at next Assizes or Quarter Sessions, And being thereof Convicted, shall Forfeit Double the Sum he would by such Fraud have gained, to the Governour of the Chest at Chatham, for the use of the

Punishment.

the use of the Powr there, and suffer Imprisonment not exceeding a Year.

Every Person who shall Counterfeit the Hands of the Treasurer, Comptroller, Surveyor, Clerk of the Acts, or of the Commissioners of the Navy, or the Hand or Hands of any other Signing or Vouching Officers of his Majesties Navy, Ships or Vards, or of any of them, to any Bill, Ticket, or other Power, by vertue whereof the Naval Treasure is or may be disposed of, and shall knowingly produce any such counterfeit Bill, Ticket, or other Paper may be Committed to Prison by the said Officers or Commissioners until he find Suretys to appear at next Assizes, or Quarter Sessions for the County where committed; there to be proceeded against according to Law.

None to counterfeit Hands of Treasurer, &c.

Commit to Goal.

That it shall and may be lawful to and for the said Treasurer, Comptroller, Surveyor, Clerk of the Acts, and the Commissioners of the Navy, or any one of them, to administer Oaths in any Case relating to the receiving, keeping, issuing and accounting for any part of his Majesties Treasure, Victuals, Stores or Provisions of the Navy, or for the preservation of due Order and Discipline therein in all matters cognizant.

Power given to administer Oaths.

able by the said Officers and Commissioners.

General Liberty given to execute their power.

That the said Treasurer, Comptroller, &c. and Commissioners of the Navy, and every one of them, may execute all the powers given by this Act on all Offenders in all places, as well within Liberties as without.

But 5 s. to be taken for Probate, Will, &c.

That no Ordinary, Register or other Officer belonging to Ecclesiastical Court or Courts of Ophans, or any Jurisdiction whatsoever, shall take of the Executor or Administrator (being Wife, Child or Children, or next of Kinred of any manner, &c.) Except where Party deceased leave an Estate of 20 l. or more) dying in the Pay of his Majesties Navy, above the sum of five Shillings for the whole Charges of the Probate of any Will, Registering the same, Granting of her Letters of Administration, &c. or doing any matter relating thereto Every Officer performing his Duty in the said Probate to have his proportion, If any such Officer presume to take more than five Shillings for the whole Probate of the Will, or shall wilfully delay the doing the premises, the Person so offending shall forfeit 10 l. to Party grieved to be recovered by Action of Debt in his Majesties

Of an Estate not exceeding 20 l.

Officers not performing Duty.

Forfeit 10 l.

ties Courts at Westminster, and there no Eſſoigne or Protection, &c.

Provided, that no Clause, &c. in this Act contained shall repeal, alter or change any the Clauses or things specified in one Act of Parliament 22 Car. II. cap. v. 11.

This Act to extend to Lord High Admirall. 12.

Provided That all the Powers hereby given to any Officer or Commissioner of the Navy may be exercised by Lord High Admirall for time being.

Provided That no Offendor punished by this Act shall be punished in any other manner for the same Offence. 13. Offence not to be twice punished.

This Act to continue Seven Years from the First Day of June 1671. and from thence to the end of the next Session of Parliament. 14. Continuance of the Act.

Nota: This Act is continued for Seven Years longer, per Statut. 1 Jac. II. Intituled, An Act for continuance of several Acts of Parliament therein mentioned, and the same Act of Continuance Enlarged per Statut. 4 & 5 Will. & Mar. from the 13th of Febr.

1692, for the space of Seven Years,
and from thence to the end of the
next Session of Parliament.

Anno 1 Will. & Mar.

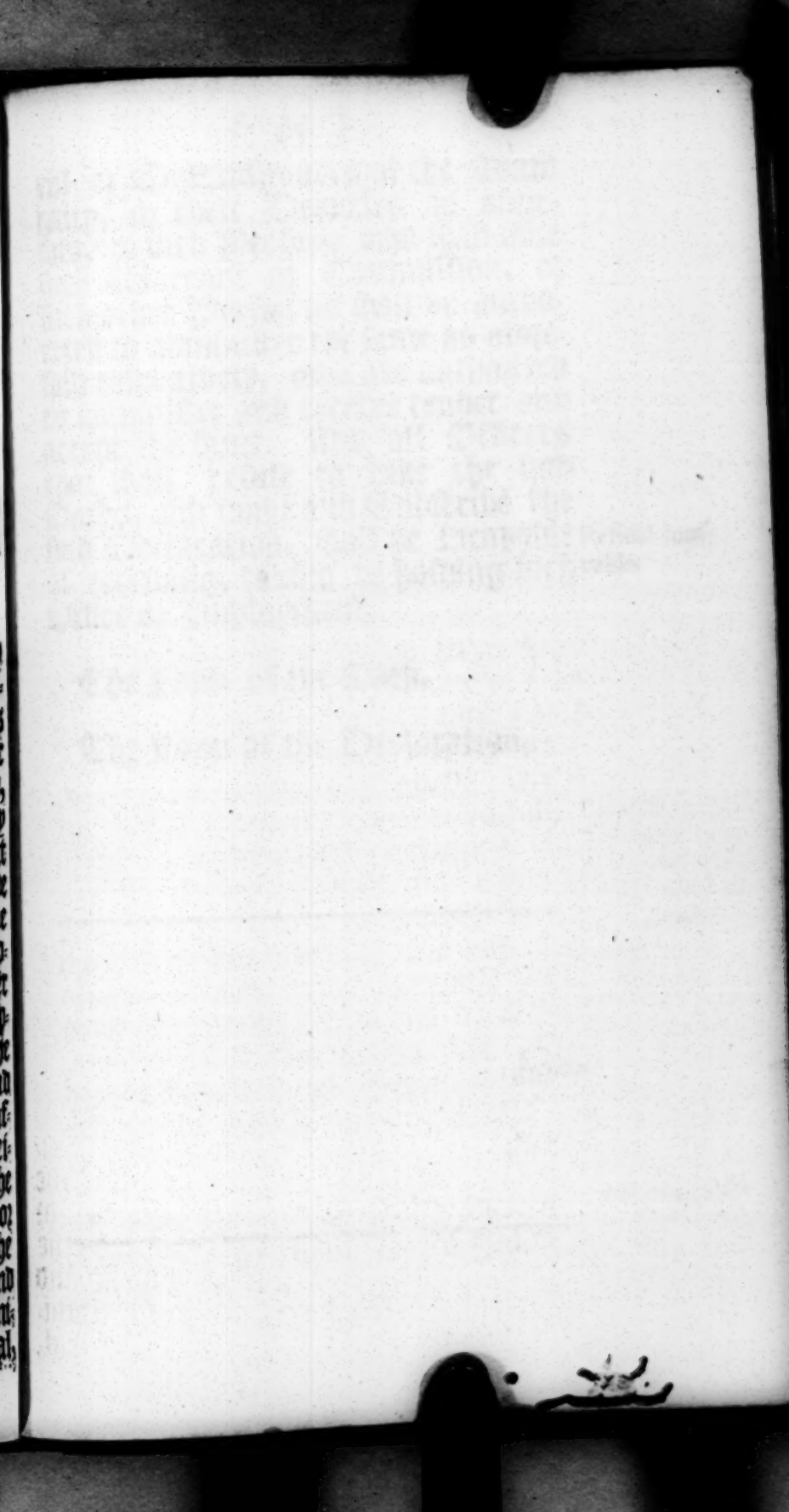
An Act for the abrogating the Oaths
of Supremacy and Allegiance, and
appointing other Oaths.

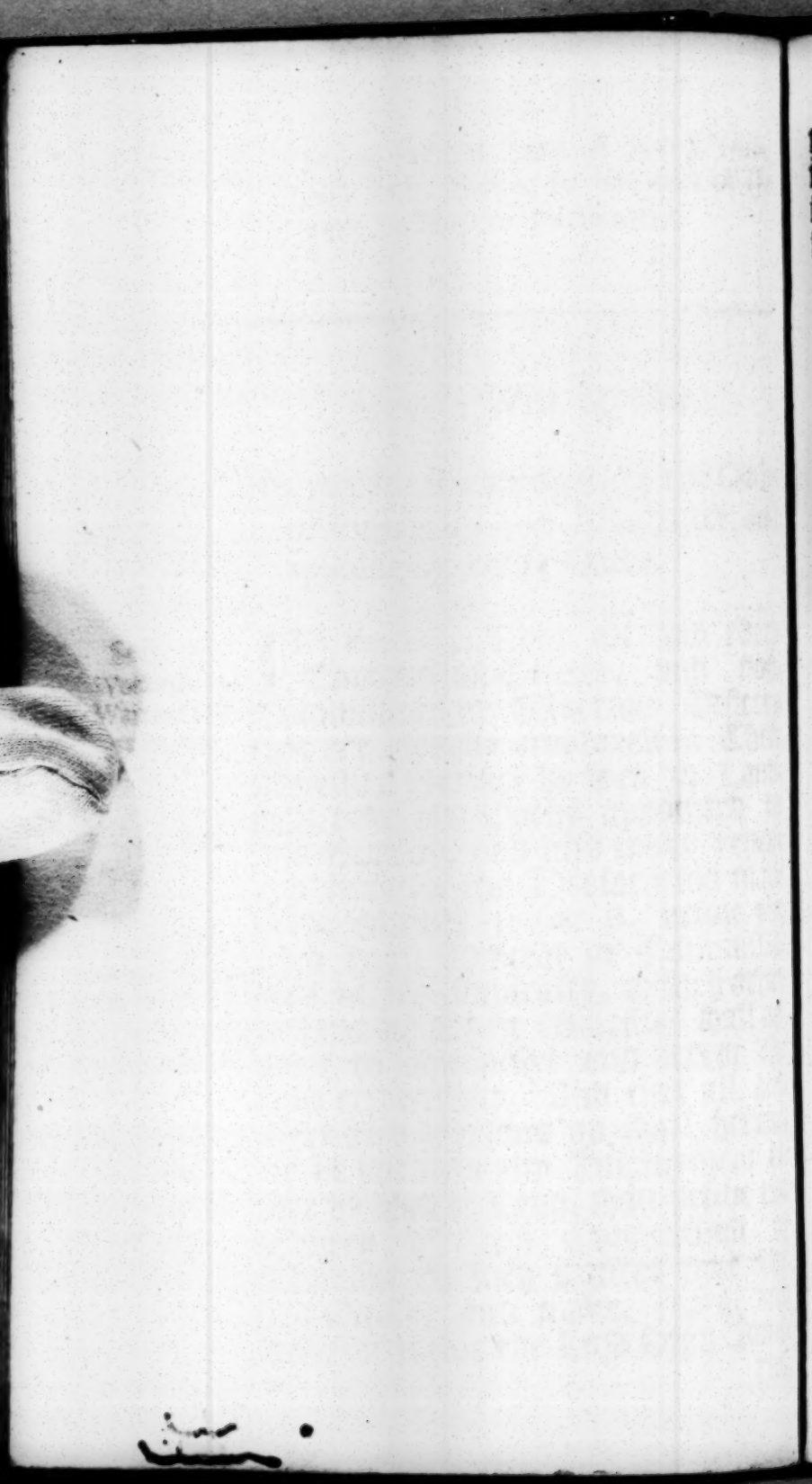
Sect. 10.
Workmen and
Warrant Offi-
cers in the
Fleet.

To take Oaths
before Admi-
ral.

Persons here-
after to be Of-
ficers to take
Oaths, &c.

IT's Enacted, That all and every
Commission-Officer, and non-
Commission or Warrant Officers
that are already employed in Their
Majesties Service by Sea or Land,
shall take the Oaths appointed by
this Statute, and also make repeat
and subscribe the Declaration made
in the Statute 30 Car. II. before the
Lord High Admiral or Commis-
sioners of the Admiralty, or such other
persons as Their Majesties shall ap-
point to administer and accept the
same respectively, And that all and
every such Persons as shall hereaf-
ter be put into any Employment ei-
ther by Sea or Land, shall before the
delivery of such Commission or
Warrant to such Officer take the
said Oaths, and make, repeat and
subscribe before the Lord High Admi-
ral,





ral or Commissioners of the Admiralty, or their Deputies as aforesaid, or such Persons who shall issue such Warrant or Commission, or such other Person as shall be authorized to administer the same as aforesaid respectively, who are authorized to administer and receive tender and accept the same. And all Officers that shall refuse to take the said Oaths, and make and Subscribe the said Declaration, shall be incapable of receiving, taking or holding such Office or Employment.

Refusal incapable.

The Form of the Oath.

The Form of the Declaration.

Anno

Anno 2 Will. & Mar.

An Act concerning the Commissioners of the Admiralty.

Commissioners of Admiralty.

Commissioners to have such Powers as Lord High Admiral.

REcites Whereas the Office of Lord High Admiral of England has bin exercised by divers Commissioners appointed by Their Majesties and the late Kings, and doubt hath been whether certain Authorities belonging to the Office of Lord High Admiral may or ought to have been exercised by such Commissioners. Now for avoiding all doubts, Be it Declared and Enacted, That all and singular Authorities, Jurisdictions and Powers which by any Act of Parliament or otherwise have been and are lawfully vested in Lord High Admiral have always appertained to and of Right might have been, and might and shall be had, used and enjoyed by Commissioners for Executing the Office of the Admiral,

Not give larger Power than Lord High Admiral

Proviso, That nothing in this Act give any other Power to Commissioners,

oners, &c. than Lord High Admiral lawfully had.

Proviso, That upon Tryals Of Officers of
sunders by Court Marshal by ver- Court Martial
tue of any Commission by Lord to take Oath.
high Admiral or Commissioners of
Admiralty, Every Officer present
shall before proceeding to Tryal take
an Oath before the Court in these
Words following :

You shall Well and Truly Try Form of Oath.
and Determine the Matter now be-
fore you, between our Sovereign
Lord and Lady the King and Queen's
Majesty, and the Prisoners now to
be Try'd.

Anno 4 & 5 Will. & Mar.

An Act for continuing the Acts for
Prohibiting all Trade and Com-
merce with *France*, and for the
Encouragement of Privateers.

REcites Two former Acts 1 W. & M.
And Enacts To continue Three
Years from the end of the Session
of

of Parliament, and to the end of the then next Session of Parliament.

Sect. II.

Recites It to be necessary to encourage the setting out private Ships of War, so as under the pretence of taking Prize no Evil-minded Persons should carry on a Trade with France, It is Enacted, That all Ships and Vessels with their Ladings, and all Goods and Merchandizes that shall be taken and seized as Prize, either by Their Majesties Ships, or by any Privateers or otherwise, shall be Imported and brought into some of the Ports of this Kingdom, and immediately, without breaking Bulk, be put into the hands of Commissioners for Prizes, or their Officers, who together with Two or more persons, as the Officers or Mariners of the respective Ships shall intrust, as also such persons as the Commissioners of the Customs shall appoint, are to take care and preserve the same from Imbezlement until the same be adjudged lawful Prize, Except where it shall appear to Judge of the Admiralty that the Goods taken are perishable, in which Case the Judge shall take Bayl for such Goods in order to Sale, as before the making this Act, yet so as to be subject to the Distribution by this Act directed.

Prize to be brought into Port without breaking Bulk into Hands of Commissioners.

To preserve from imbezlement.

If Goods perishable, may be sold.

III. That notwithstanding former Acts, if Goods and Merchandizes by them Prohibited to be Imported into this Kingdom shall be, bona Fide, without Fraud taken as Prize by any private Ship of War, or by any of his Majesties Ships; and shall be adjudged Prize, It shall be lawful for Commissioners of Prizes or their Agents, so soon as may be after adjudged Prize, to cause the same to be Entred and Landed, and to be brought into his Majesties Warehouse of such Port where such Goods, &c. are Imported, there to remain until Sold, as hereafter directed.

Prize Goods
after condem-
nation to be
Entred and
Landed in
Port.

IV. That as soon as may be after the said Goods shall be adjudg'd Prize and Landed as aforesaid, the same shall be by Commissioners of Prizes, or their Officers, in the presence of such Persons as shall be intrusted by such Ships of War, publicly and openly Sold by Inch of Candle (Publick Notice being first given at the Market Cross) Fourteen days, or other most Publick Place of the said Port, as also upon the Exchange in the Port of London, of the Quantity and Quality of Goods, &c. to be Sold, and of the Time and Place of Sale.

Prize Goods
to be sold by
Inch of Can-
dle.

Publick No-
tice of Sale to
be given.

Division of
the Prize in
Case taken by
Privateer.

How the Car-
go to be di-
vided.

How the Ship
to be disposed
of.

How distribu-
ted in Case
Prize taken by
King's Ship.

V. Out of the Proceed of such Sale, the Subsidy of Tunnage and Poundage, and all other Duties and Impositions payable to Their Majesties for such Goods, &c. shall be deducted and answered to Their Majesties, and the Net Proceed of the said Sale, after such deductions, in Case such Prize was taken by private Man of War, shall be divided into Five Parts, of which Four Parts shall be answered and Paid to the Person interessed in the said Privateer which took the Prize, the other Fifth Part to His Majesty, And in Case any such Prize taken by Private Man of War, the Ship or Vessel so surprized or taken as Prize, and all the Arms and Ammunition, Tackle, &c. and Furniture thereof, shall be had, enjoyed by the Person interessed in the Privateer which took the said Ship, And in Case such Prize was taken by His Majesties Ships, the said Net Proceed after Sale as aforesaid, and such Deductions as aforesaid, to be divided into Three equal Parts, One Third to the Captain, Mariners and Seamen surprizing the said Prize, to be distributed according to the usual Custom on such Declaration as Their Majesties shall make

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in that behalf, Provided, That one Third Part shall be divided among the Ships Crew, One Third to the Treasurer of His Majesties Navy, for the Relief of Sick and Wounded Seamen, and the Widows and Children and impotent Parents of Persons then in His Majesties Service at Sea, the other Third Part to the Use of Their Majesties, And in Case the said Prize was taken by any Merchants Ships involved in King's Service, Then the Net Proceed after such Sale as aforesaid, such Deductions, Customs as aforesaid, shall be divided in Three Parts, One Third to the Captain, Officers and Seamen Surprising and Taking the same, One Third to the Use of Their Majesties, One Third to the Treasurer of the Navy for the Purposes aforesaid.

How distributed if taken by Merchant Ship in King's Service.

VI. Provided, That if any Captain or other Officers, &c. who shall take such Prize, shall imbezle, purloine, conceal or convey away, or put on Shoar any part of the Goods in any place whatsoever, other than His Majesties Warehouses of the said Ports, the Party offending shall forfeit and lose the whole Share and Benefit of the Prize which otherwise he might have had, and up-

Imbezlement of Prize-Goods.

Punishment and Forfeiture.

on Proof thereof upon Oath by one or more Witnesses before the Commissioners of the Customs in the Port of London (if such Goods were imbezled or put on Shoar in the said Port) before the Chief Magistrate of the Peace in presence of the Chief Officer of the Port in any other Port where the said Goods shall be Imported, who are to hear and Determine the same, One Moiety of the said Goods to be to the Informer, and shall be delivered to him by Warrant of the said Commissioners of the Customs of the Port of London, or of the Chief Magistrate of the Place, Signed and Sealed in the Presence of the Chief Officer of the Customs in such Port respectively, and the other Moiety to the King.

Who to determine.

Informer to have half.

Persons interested may see the Accounts.

VII. Any Person concerned in any Prize may at seasonable times be permitted to see the Accounts of any Prize that they may be satisfied whether the Shares have been rightfully distributed. And the Commissioners for Prizes, and their Officers, are required to shew unto such Persons such Accounts for their Perusal, and to take no Fee or Reward for the same more than one Shilling.

Fee 1 s. for shewing Accounts,

VIII. In case any Ship laden with Goods of the growth of the Dominion of the French King shall be taken by any Privateer by consent, or clandestinely, or by collusion, such Ship, &c. and also the Ship, &c. of the Privateer, shall upon Proof thereof to be made in the Exchequer, or Admiralty Court, be judged to be good Prize to Their Majesties, One Moiety to Their Majesties, and the other Moiety to the Discoverer, and the Bond given by the Captain is declared forfeited, And in Case such Ship, &c. shall be taken by any Man of War, through consent, collusion, &c. such Commander or Captain shall forfeit 1000 l. One Moiety to the King, the other Moiety to the Discoverer, to be recovered by Action of Debt, or Information in any of His Majesties Courts of Record, and no Protection, &c. to be allowed, And such Captain or Officer to forfeit his Imployment under Their Majesties for Seven Years, and the said Ship and Goods adjudg'd good Prize to the King.

Ships and Goods of French King taken by Privateers by collusion.

Punishment.

Ships, &c. of French King's Dominions taken by Man of War.

Punishment and forfeiture.

IX. Proviso, In all Cases where Prize shall not be taken by Privateer, One Tenth part thereof after such Sale and Deduction of his War.

Tenth of Prize taken by Men of War.

Ma-

Paid to Treas-
urer of Navy

Commissioners of Admi-
rality to dis-
pose of for
Medals, &c.

Majesties Customs, &c. shall be paid as aforesaid, and before any Division of the Proceed thereof as aforesaid shall be Paid to the Treasurer of the Navy, and kept apart by the said Treasurer, and shall be disposed of by Warrant of Commissioners of the Admiralty, or Lord High Admiral for Medals and other Rewards for Officers, Mariners and Seamen in the King's Service at Sea, who shall have done extraordinary Service.

Encourage-
ment to Men
of War and
Privateers to
take Ships of
Force.

X. For better Encouragement of Officers and Seamen to annoy the Enemy, and to take and annoy Ships of War and of Force belonging to the Enemy, It's Enacted, In case any of the King's Ships of War or Privateer shall take in Fight as Prize, or shall Sink, Fire, or by any other means destroy any Ship of War or Privateer belonging to the French King or his Subjects, or in their Service, they shall have a Reward for such Ship of War taken or destroyed, Ten Pounds for each piece of Ordnance in any Ship, to be paid by the Commissioners of Prizes out of His Majesties share of Prizes.

XI. If Commissioners of Prizes shall not pay or give Bills payable out of the first Money comes to their hands to the person interested in such private Man of War, for the reward of Ten Pounds a Gun by the space of three days after it ought to be paid, demand thereof made, free of all Charges and Deductions, the Commissioners are made incapable of any Office for the future.

Penalty on Commissioners of Prize not paying Reward.

XII. That the Shares, Proportions and Rewards given by this Act to the respective Officers and Seamen shall be in lieu and full satisfaction of all Shares and Prizes taken this present War, Any thing made in the Act 13 Car. II. cap. 9. or any Declaration or Order of Their Majesties to the contrary.

The Rewards given by this Act to be in full of all shares.

XIII. If any Captain or Officer, or any other person by his Direction or Commission, or any Seaman or Soldier serving in the Navy, or in any Privateer, shall imbezle any Money, Plate, Goods, Tackle or other things upon or above the Gun-Deck, or any other part or place whatsoever, in any Ship taken Prize, or retaken from the Enemy, the Party offending shall lose the Share,

Imbezlement of Money, Plate and Goods.

Forfeiture.

&c.

In Case an
Officer 500 l.
Forfeiture.

Incapable of
an Office for
Seven Years.

&c. to him allowed by this Act. And in Case he be an Officer he shall forfeit the sum of 500 l. (whereof one moiety to the King the other to the Informer to be recovered in any of His Majesties Courts of Record at Westminster, and therein no Protection &c. to be allowed) for every such Offence, and such Officer to be incapable of any Office or place under Their Majesties for Seven Years. It being the True intent of this Act that all Goods upon or above the Gun Deck and elsewhere shall in all places be preserved entire from Imbezlements and shall not be pillaged in any Case whatsoever.

Ships taken in
Streights and
Mediterranean.

XIV. Provided, That where any Ship shall be taken as Prize in the Mediterranean Sea, or within the Streights of Gibraltar, It shall be Lawful for Captains to Carry such Prize into Port of Allicant or Cadiz in Spain or to the Port of Messina in Sicily, or the Port of Naples and to put the same into the hands and possession of persons authorized to receive and preserve the same by His Majesty, there to remain, to be kept without Imbezlement until Condemned or Cleared by Court of Admiralty of England, such Captors being obliged with all speed to transmit the Original

original Papers taken in such Ships
or authentick Copies.

XV. Where Ship shall be taken as Prize in west Indies or America, the Captors to carry into any of his Majesties Ports in any of his Majesties Plantations, and put the same in possession of Chief Governour, there to remain and be kept as aforesaid, until Condemned and Discharged by such persons as shall be lawfully commissioned in that behalf.

Ships taken in West-Indies and America.

XVI. In case any Ship or Vessel shall be taken as Prize in the East Indies or any place beyond the Cape of Good Hope, It shall be lawful to Carry such Ship to any Port of an English Factory and put the same into possession of the Governour or Chief Person of such Factory to be preserved as aforesaid until Condemnation by such Persons as shall be lawfully Commissioned in that behalf.

Prizes taken in East Indies.

XVII. Where any Ships shall be taken by any Privateer in which Ship there shall be no Goods of the Growth of the French Kings Dominions and the same shall appear upon Landing upon due proof thereof made, That then after Lawful Condemnation

Privateers taking Prizes where no French Goods.

I

To have the whole without any deduction for Tenths.

demnation of such Prize and Payment of Customes and other Duties to His Majesty, the Person interested in such Privateer shall have the said Ship and Goods &c. without Deductions for tenths or any other proportion to His Majesty or the Lord High Admiral.

Where Privateers take Prizes in Ports

The Prizes to belong to His Majesty.

XVIII. For preventing Abuses practised by Privateers pretending to take as Prizes Ships or Vessels within His Majesties Ports, Rivers, &c. It is Enacted, That where any Ship, &c. shall be taken within any Their Majesties Ports, &c. by any Privateer, such Prize shall belong wholly to His Majesty as Perquisite of the Admiralty, And the Captors to have such part and proportion thereof only as Their Majesties shall think fit.

Ships taken of King's Subjects, retaken.

XIX. Proviso, That if any Ship, &c. taken as Prize or any Goods therein shall appear and be proved in the Court of Admiralty to be belonging to Their Majesties Subjects of Their Three Kingdoms or Territories thereunto belonging continuing in His Majesties Obedience, which were before taken as Prize by the Subjects of the French King, and re-taken by Their Majesties

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ties Ships of War or other Ship under His Majesties Obedience and Protection, That then such Ships, &c. and such Goods therein found to belong to Their Majesties Subjects, shall by Decree of the Court of Admiralty be adjudged to be restored to such former Owners, they paying in lieu of Salvage, if taken by any of Their Majesties Ships an Eighth Part of the true Value of the Ships, &c. and Goods respectively to be restored, which Salvage shall be paid to the Captain, &c. in the said Man of War, to be divided as before directed, touching the share of Prizes belonging to the Captains, Officers and Seamen where Prizes are taken by Men of War, And if taken by Privateer or other Ship, &c. having been in the possession of the Enemy 24 Hours, and under 48 a fifth part; And if above 48, and under 96 a third part thereof; and if above 96 a Moiety thereof, All which Payments to be made without deductions; And if such Ship so retaken shall appear to have been (after the Taking by the Enemy) by them set forth as a Man of War, the former Owners, &c. to whom the same shall be restored, shall pay the full Moiety of the true Value without any deduction.

To be restored to the Owners.

An eighth part instead of Salvage to be paid.

Retaken Ship by Privateer.

Privateer taking Vessel laden with Wooll.

XX. In Case during the continuance of this Act any Privateer Vessel laden with Wool, or whereupon any Wool is laden with intent to Transport the same, be taken by any Privateer, or Man of War, on due Proof thereof or Tryal in the Exchequer, the Persons interested in Privateer, shall have to their own use, one full Moiety of the Vessel and Goods, the other Moiety to the King.

Admiralty to give this Act in their Instructions to Officers of King's Ships and Privateers.

XXI. To prevent Ignorance of this Act by any Captains, &c. serving in His Majesties Ships or Privateers, Lord High Admiral, or Commissioners of the Admiralty, are required to express all things by this Act directed to be observed concerning Prizes, and the Shares, Proportions and Reward of and for the same in the Instructions by them to be given during the continuance of this Act, to all Captains and Commanders of the King's Ships, or any Privateer by them authorized during that Time.

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XXII. Lastly, a Proviso, That if Commissioners of Prizes, or Commissioners of Customs shall detain in their hands the Shares and Proportions belonging to the persons interested in Privateers 2 days after the same ought to be paid by this Act, and demand thereof made, free of all Fees and Charges whatsoever except Warehouse-Room, and 2 per Cent. for all other Charges, The person offending to forfeit double the Sum, to be recovered by Action of Debt with Cost of Suit, And no Protection, &c.

Commissioners detaining Money to be paid to Privateers.

To forfeit double the Sum detain'd.

Anno 5 & 6 Will. & Mar. &c.

An Act for the better Discipline of His Majesties Navy Royal.

REcites, For the regulating and better Government of Their Majesties Navys and Ships of War, and Forces by Sea.

Preamble. The Court of King's Bench, or Commissioners

That all Offences contrary to an Act made in the Thirteenth Year of King Charles the Second, Entituled, An Act for the Establishing Articles and

ners of Oyer and Terminer may Try all Offences in the Act 13

Or- Car. II.

Orders for the Regulating and better Government of His Majesties Navies, Ships of War, and Forces by Sea, which shall be committed after the 24th of June 1694. may be Prosecuted and Determined in Their Majesties Court of King's Bench at Westminster, or before Justices of Oyer and Terminer, to be Constituted by Their Majesties Commission.

Power to the Courts to act. And the said Courts are impowered to hold Connusance thereof by Information or Indictment, and to proceed upon, hear and Determine the same according to the Course of the Common Law, &c.

Offences done out of the Realm to be laid in any County in the Realm. And where any of the Offences be committed out of the Realm, in such Case the same may be alledged and laid in any County within this Realm.

Proviso, That no Person Tried by a Court Marshal, to be Tried, &c. Proviso. Proviso, That no Person who shall be Tried by a Court Marshal for the same Offence, be Tried by vertue of this Act, &c.

Proviso, That this Act shall continue in force for Three Years, and from thence to the end of the next Session of Parliament.

Anno 7 & 8 Will.

An Act for the Encrease and Encouragement of Seamen, &c.

FOrasmuch as the Strength and Safety Preamble.
of His Majesties Dominions do much depend on the supplying His Royal Navy with a competent number of able Seamen which may be ready at all times for that Service.

To Invite great Numbers of his Majesties Subjects to betake themselves to Sea, It is fit some provision should be made that Seamen who by Age, Wounds, or other Accidents should become disabled for future Service at Sea, and shall not be in a condition to maintain themselves comfortably, may not fall under Hardships and Misery, but may be supported at the Publick Charge, And that the Children of such disabled Seamen, And also the Widows and Children of such Seamen who shall happen to be Slain or Drowned in Sea Service, may in some reasonable manner be Provided for
and

and Educated, His Majesty and her late Majesty determined That an Hospital should be Erected and Endowed for the purposes aforesaid, And in order thereto by their Letters Patent gave a Parcel of Ground in the Manor of East Greenwich, and Their Palace standing upon Their said Ground, and several other Buildings and things mentioned in the said Letters Patents to the intent that they should be converted to the Service of an Hospital for the Relief of Seamen, their Widows and Children, and Encouragement of Navigation. And whereas His Majesty in further execution of his Pious Intention for the Founding of an Hospital at Greenwich for the purposes aforesaid, hath by His Letters Patents dated the 10th of December 1695. Constituted Commissioners, and Granted an Annual Sum payable out of the Treasury, and given divers proper Directions and Authorities for carrying on and perfecting the said Hospital and the Maintenance thereof, and of the Persons to be placed therein. And to the Intent that such Mariners, Watermen, Seamen, Fishermen, Lightermen, Barge-men and Keelmen, or Seafaring Men being natural Born Subjects of this
 Realm

Realm, or any of his Majesties Do-
 minions, or being in England, and
 above the Age of 18 Years, or under
 the Age of Fifty Years, and being ^{Persons under}
 capable of the Sea Service, who ^{the Age of 50}
 shall be willing to Enter and Regi- ^{and above 18.}
 ster himself for the Service of his
 Majesty in his Royal Fleet or Na-
 vy, may by himself or any person by
 him thereunto in Writing Authori-
 zed or Imploied, deliver and give
 in his Christian Name and Sir-
 name, with his Age and Place of his
 Abode and Habitation, unto such Of-
 ficers as shall be appointed for the
 Registering of Seamen, as is here-
 in after mentioned; And that such
 and so many Publick Officers for
 the Registering the Persons for Sea
 Service as aforesaid, shall be kept at
 his Majesties Charge at the Navy-
 Office in London, and such of the
 Principal Officers of the Navy or
 other Persons shall be appointed
 thereto. And the making and keep-
 ing such Register shall be perform'd
 in such Forms and Methods as his
 Majesty or the Commissioners of
 the Admiralty shall from time to
 time prescribe and appoint. So as
 that in the said Register there shall
 be Entred down and Registered in
 Order and Course of Time as well
 the Names, Sir-names, Additions,
 K Ages,

Offices and
 Officers for
 Registering
 Seamen, &c.

Ages, Place of Abode, or Habitation of all and every such Seaman, Seaman, Waterman, Fisherman, Lighterman, Boatman, Wharfman or Seafaring Man as aforesaid, And also, the true Days and Times of such Registry or Entry, for which no Fee, Reward or Gratuity whatsoever shall be demanded or received other than from His Majesty. And if any Person shall knowingly make or cause to be made in any of the said Offices any False Entries of any Person's Name, &c. he shall forfeit the sum of one Hundred Pounds, one Moiety to His Majesty, and the other to such Person as shall sue for the same.

Wilful mis-entry of Seamen.

Oaths to be taken by Registrers.

The respective Registrers to be appointed, shall before their Entrance thereinto, or intermeddling therewith, take an Oath before the Judge of the Admiralty, or before Two or more of His Majesties Justices of the Peace for that County, &c. wherein such Office shall be, for the true and faithful Execution thereof, That the said Navy Office or such other Office as shall be appointed by His Majesty shall be called the Head Office whereto all the other Registrers in the Sea-Ports shall from Time to Time, without

非為其所欲而為之也

此書之功用，在於使讀者能於最短時間內，獲得最豐富、最精確之知識。其內容之豐富，足以應付各種考試之需要；其文字之精確，足以使讀者一目了然。



without any Fee, save from his Majesty, give Certificates under their Hands and Seals of the Numbers, Names, Places of Abode and Additions of all Seamen, Watermen, &c. that shall be Registered within their respective Offices, And of the true Times when such Entry was first made, which Certificates shall by the said Register be filed in Course of Time as they came in, and the Names of the Seamen, &c. therein mentioned, shall be in order of Time, and without any undue Preference, Entred and Registered there also, So that in that Office the Number, Names, Places of Habitation of all Seafaring Men Registered throughout the Kingdom, and their respective Time of coming in to be Registered may from time to time appear, a true Copy of which shall once a Year, or oftner if required, be given by the Officers at the Head-Office to the Commissioners of the Admiralty, who are to give timely directions that such of them as they shall find most proper for his Majesties Service may from time to time in each Year be disposed for the Service of the Fleet in every or any Year beginning from the First of January, during which the Number

Commissioners of Admiralty to have Copies of the Registry.

of Registered Seamen then alive, shall not exceed 30000. Every Registered Seaman shall be allowed from his Majesty, whether he be in actual Service or not, the Yearly Sum of 40 s over and above such other Pay as he shall be Intituled to by being in his Majesties Service, And in every Year during which the Registered Seamen then alive shall exceed 30000, there shall in like manner be allowed 40 s. a Year to each of the first 30000 Registered, And moreover, none but such Registered Persons shall be Preferred to any Commission or Warrant Offices in the Navy, and every such Registered Seaman being in his Majesties Service in a Foreign Voyage, may appoint to his Wife or any Person any part or proportion of the Pay due, or to be due to him for his Service, not exceeding 2 Months Pay in every 6 Months, which shall be duly comply'd with upon proof of the 6 Months Service by return of Musters according to the practice of the Navy, and on like proof of such Seaman's Death in the Service, the Wages remaining due to him shall be paid to his Executors or Administrators without carrying for the Ships Return, or her General Pay.

Also,

Reward to
Registered Sea-
men.



Also, Every Seaman Register-
ed, shall upon taking any Prize at
Sea wherein he shall be Intitu-
led to any Share, have a double
part more than any other Seaman
of like Quality in the Ship with
himself.

Double share
of Prizes to
Registered
Seamen.

Upon producing a Certificate of
his being Registered he shall from
time to time be freed from serving
upon any Juries or Inquests, or in
the Militia, or in or about the assess-
ing or Collecting of any Publick
Taxes or Assessments, or in the Of-
fices of Constable, Tythingman,
Bosholders, Church-Wardens or
Overseer or Collector of the Poor,
or any other Parish Office whatsoe-
ver, Except he shall declare himself
willing to serve in the said Offices,
for which Certificate no Fee to be
demanded or received.

Registered Sea-
man's Privi-
ledge and
Exemption.

All Registered Persons by Age,
Wounds or other Accidents disa-
bled for further Service at Sea,
and not in a Condition to maintain
themselves Comfortably, shall upon
Certificate thereof from the Cap-
tain, Master, Surgeon and Purser,
or so many of them as were in the
said Ship for the Time being under
his

Aged and dis-
abled Seamen
to be put into
Hospital on
Certificate,

his or their hands unto the Governor of the said Hospital at Greenwich, be admitted into the said Hospital, and there provided with fitting and convenient Lodging, Meat, Drink and Clothing and other Necessaries during their Life.

Widows of
Registered Seamen.

Also, The Widows of such Seamen who shall be Slain, Kill'd or Drowned in the Service, and the Children of such Seafaring Men so Kill'd or Drown'd, and not of Ability to Maintain themselves Comfortably, shall be received into the said Hospital, and there provided for, And the said Children shall be educated at the Charges of the said Hospital, till they are fit to be put out, or of ability to maintain themselves.

Proviso, That
if Registered
Seamen do
not serve.

Provided always, That if any Registered Person during time of actual War withdraw or absent himself from His Majesties Service in his Navy, and shall not within 30 days after due Summons or Warning from the Commissioners of the Admiralty, Commissioners of the Navy, Officers of the Registry, or Vice Admirals of the several Counties repair on Board the Ship to which he belongs, or shall be appointed, not being



being detained by Sicknes or other Bodily Infirmities to be attested by the Oath of Two Credible Witnesses to be allow'd by the Commissioners of the Admiralty, Navy, Registry or Vice-Admirals, or shall relinquish the Service of his Majesty without consent in Writing of the Commissioners of the Admiralty, he shall for ever lose the benefit of this Act, and serve his Majesty at Sea 6 Months without any Pay, but for such Offence only he shall not suffer as a Deserter; Provided, That nothing in this Act extend to take away the Punishment appointed for Deserters by an Act made the 13th Car. II.

To loose the benefit of this Act.

After the Term of 25 Years, from the 25th of March 1696, None shall be capable of being a Brother of Trinity-House but who have been Registered.

Brotherhood of Trinity-House.

Every Seaman serving his Majesty, or in any Ship or Vessel belonging to any of the Subjects of England, or any other his Majesties Dominions, shall allow, and there shall be Paid out of his Wages Six Pence a Month for the better supporting of the said Hospital, which shall be levied by such Officers, and according

Six Pence per Month to be paid out of Seamens Wages.

How to be Levied.

according to such Rules and Methods as shall in that behalf be appointed by the Commissioners of the Admiralty.

Proviso.
The Certificate to be brought by Seamen.

Provided always, That every Seaman at the time of his being Registered, shall bring or cause to be brought a Certificate of his Place of Abode, under the Hands of Two Justices of the Peace of the County or Place where he lives, and as often as any such Seaman shall change his Place of Abode, he shall bring or cause to be brought a new Certificate thereof to the Register under the Penalty of losing the benefit of his being Registered as aforesaid.

Registered persons under 18, and above 55, exempted from Service.

Registered Persons under 18, or above 55 Years of Age shall be exempted from Service upon Summons as aforesaid, unless they will Voluntarily Enter themselves to serve.

Registered Persons preferred to Commission or Warrant Offices, not to be entitled to the 40 s. per Annum, or other benefits of this Act, or liable to any of the Penalties or Disabilities therein mentioned.

Registered Persons preferred to Commission or Warrant Offices, not to be entitled to the 40 s. per Annum, or other benefits of this Act, or liable to any of the Penalties or Disabilities therein mentioned.

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Commissioners of the Admiralty may Discharge any Seaman from the Register, upon any Cause for which it shall be desired, And may for any Offence dismiss and expunge any Seaman from the Register, and thereby deprive them from the Benefits thereof according to their discretion.

Admiralty
may discharge
or expunge
Persons Regi-
stred.

Licences shall at any time be given by Order of His Majesty, or Commissioners of the Admiralty, to any Landmen desirous to apply themselves to Sea Service to serve in Merchant Shps 2 Years, which shall Protect them from being Impress'd, Provided they bring to the Register Two Credible Persons, Inhabitants, or known in the Place where they enter themselves, who shall assert the knowledge of the said Landmen, and their Profession for Two Years past.

Licences to
Landmen.

Any Person vouching one for a Landman that is a Seaman shall forfeit 20 l.

Person vouch-
ing Seaman a
Landman.

And any Seaman personating or taking anothers Name, And any Seaman or other Person whatsoever, counterfeiting a Licence shall forfeit 20 l. And suffer such Punishment

Personating
or taking o-
ther's name.
Counterfeit-
ing Licence.

ment as by Law may be inflicted, and any Seaman so offending shall be incapable of the benefit of this Act.

Seamen in
Cinque Ports.

Seamen Inhabiting in the Cinque-Ports to be Registered in such Places, and by such Persons as the Lord Warden shall appoint, And to enjoy the same Benefits, and to be liable to the same Penalties in case of absenting from the Service, or disobeying the Lord Wardens Summons as the Persons Registered elsewhere. The said Registerer to take their Oaths before the Lord Warden, Governour of Dover, or his Deputy, or some Mayor of the Cinque Ports.

Registered person shall not be obliged to serve as a Land Soldier.

No Registered Person shall by virtue of any of the powers before mentioned, be obliged to serve as a Land Soldier, but only as a Seaman in His Majesties Fleet.

Proviso, Not to hinder person from serving as Chaplain or Chirurgion.

Provided always, That nothing in this Act extends to the debarring any Person from being a Chaplain, Chirurgion, or any other Officer, in any Office of the Navy, nor of necessity to be executed by a Seafaring Man.

Anno 7 & 8 Will. III.

An Act for the better Security of
His Majesties Royal Person and
Government.

Sect. 6. **I**t's Enacted, That all and Officers Civil
every Person and Per- and Military,
sons that shall be admitted, entered
and placed, or taken into any Office
or Offices Civil or Military, or re-
ceive any Pay, Salary, Fee or Wa-
ges by reason of any Patent or
Grant of His Majesty, or shall have
Command or Place of Trust from
or under His Majesty, or by His Au-
thority, or by Authority derived from
His Majesty within England, &c. or
in His Majesties Navy, or in the Officers in
several Islands of Jersey and Guern-Navy,
sic, or any of His Majesties Family
or Household shall subscribe the Asso- To subscribe
ciation mentioned in the same Section, Association.
at the same time they shall make
and subscribe the Declaration men-
tioned in Statut. 25 Car. II. Intituled
An Act for preventing Dangers from
Popish Recusants.

Persons refusing incapable.

Sect. 7. That the Persons refusing to Sign the said Association in the respective Courts and Places, shall ipso facto, be adjudged incapable and disabled in Law to enjoy the said Places, or any benefit by them, And the Places and Offices to be void.

Penalty on Refusers.

Sect. 8. That all Persons that shall neglect or refuse to Sign the said Association within the Times and at the Places aforesaid, yet after such refusal, shall execute such Place either by themselves, or his or their Trustee or Deputy after the Times expired, and being thereof Convict, shall be subject to the Penalties in the last recited Act mentioned.

Persons at Sea at the making the Act, &c.

Sect. 14. Proviso, That this Act do not extend to any Person in his Majesties Service on Board the Fleet, or beyond Seas, or shall go beyond Seas in his Majesties Service before the 25th May 1696. So as such Person subscribe the said Association according to the appointment of this Act, within Three Months after his return,

Nota ;

Nota: By this Act it is Enacted, Civil and Mi-
 That no Commission either Civil or Military Com-
 or Military, shall Cease, Determine, millions not
 or be Void by reason of the Death to determine,
 or Demise of His Majesty, or any
 his Successors, but that every such
 Commission to remain in Force for
 Six Months after, unless superseded
 by the next and immediate Succes-
 sor, according to the Act of Settle-
 ment, 1 Will. & Maria.

Anno 7 & 8 Will. III.

An Act for Granting His Majesty
 an Aid of Four Shillings in the
 Pound for Carrying on the War
 against *France*.

AT the end of the Act it's Enacted,
 That over and above the
 Ships for the Line of Battel, and
 for Convoys to remote Parts, at
 the least 4 Ships of the Third Rate,
 16 of the Fourth Rate; 13 of the
 fifth Rate; 10 of the Sixth Rate,
 shall from time to time be directed to
 Cruise at such Stations as Com-
 missioners of the Admiralty shall
 deem fit.

Cruisers.

Pro.

In case of necessity may be in Line of Battel.

Proviso, In case of necessity this Act not to hinder the Commissioners of the Admiralty from directing any of the said Ships to be in the Line of Battel.

Admiral to give Certificate to Parliament.

That it may appear how the service for appointing Cruisers in proper Stations to secure Merchants Ships is performed, Lords of the Admiralty, &c. to give a Certificate under their Hands to the next Session of Parliament, of the Ships so set out in pursuance of the directions by this Act expressing the Names and Rates of the Ships,

Anno 7 & 8 Will. III.

An Act for preventing Fraud, and regulating Abuses in the Plantation Trade.

Naval Stores may be Imported in Foreign built Ships.

Amongst other things it's Enacted, That Masts, Timber, and other Naval Stores for his Majesties service for the space of Three Years may be Imported from his Majesties Colonies or Plantations,

into this Kingdom, in such Foreign-Appointed by
built Ships as shall be employed by Commission-
his Majesties Commissioners of ners of Navy-
Navy.

the County, and deliver a Certif-
cate in Court of their receiving
the Oaths of Allegiance and Supremacy.

Anno 7 & 8 Will. III.

An Act for the more effectual pre-
venting the Exportation of Wool,
and for the Encouragement of the
Importation thereof from Ireland.

It is Enacted, That the Lord
High Admiral, or his Deputy,
shall cause to be appointed, and
keep ready, one Ship of the fifth Rate,
two Ships of the sixth Rate, and
four Armed Sloops, constantly to
Cruise from off the North Foreland
to the Isle of Wight, with Orders for
Taking and Seizing all Ships, Ves-
sels, or Boats, which shall Export
any Wool, or carry, or bring any
Prohibited Goods, or suspected Per-
sons.

Per Stat. 25 Car. II.

All Officers Civil and Military, and Nota.
all Officers in the Navy are to re-
ceive

This shot repeats the previous
one, but with different lighting.

into this Kingdom, in such Foreign-Appointed by
 built Ships as shall be employed by Commissio-
 his Majesties Commissioners of ners of Navy-
 Navy.

Anno 7 & 8 Will. III.

An Act for the more effectual pre-
 venting the Exportation of Wool,
 and for the Encouragement of the
 Importation thereof from *Ireland*.

Sect. ult. **I**T's Enacted, That the Lord
 High Admiral, &c. shall
 from time to time ap-
 point one Ship of the Fifth Rate,
 Two Ships of the sixth Rate, and
 Four Armed Sloops constantly to
 Cruise from off the North Foreland
 to the Isle of Wight, with Orders for
 Taking and Seizing all Ships, Ves-
 sels or Boats which shall Export
 any Wool, or carry or bring any
 Prohibited Goods or suspected Per-
 sons.

Per Stat. 25 Car. II

All Officers Civil and Military, and Nota.
 all Officers in the Navy are to re-
 ceive

ceiye the Sacrament in some Parish Church within Three Months after being in their Places; or having Grant thereof. And in Court of Kings Bench, or Chancery at Westminster, or at a Quarter Sessions for the County, and deliver a Certificate in Court of their receiving the Sacrament, And are to take the Oaths of Allegiance and Supremacy. Which see before Sealed in 1 Will. & Mar. and make the Declaration following:

I A. B. do Declare, That I do believe, That there is not in the Sacrament of the Lord's Supper any Transubstantiation in the Element of Bread and Wine, nor after the Consecration thereof by any Person whatsoever.

The Penalty for neglecting to take the Oath, and make the Declaration, and Subscribe thereto, is, to be disabled to sue to be Guardian, Executor or Administrator, or capable of any Legacy, to bear any Office, and to Forfeit 500 l. to Person that will Sue for the same.

This shot repeats the previous one, but with different lighting.

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ceiye the Sacrament in some Parish Church within Three Months after being in their Places, or having Grant thereof. And in Court of Kings Bench, or Chancery at Westminster, or at a Quarter Sessions for the County, and deliver a Certificate in Court of their receiving the Sacrament, And are to take the Oaths of Allegiance and Supremacy. Which see before Setled in 1 Will. & Mar. and make the Declaration following:

I A. B. do Declare, That I do believe, That there is not in the Sacrament of the Lord's Supper any Transubstantiation in the Element of Bread and Wine, at or after the Consecration thereof by any Person whatsoever.

The Penalty for neglecting to take the Oaths, and make the Declaration, and Subscribe thereto, is, to be disabled to Sue to be Guardian, Executor or Administrator, or capable of any Legacy, to bear any Office, and to Forfeit 500 l. to Person that will Sue for the same.

Sect. 15.

Sect. 15. This Act extends not to Non-Commission Officers of the Navy, so they subscribe and make the Declaration before-mentioned.

Anno 8 & 9 Will. III.

An Act to Enforce the Act for Encouragement of Seamen.

Recites the Clause in the Act 7 & 8 Will. III. whereby it is Enacted, Sect. 1.
 That for Relief and Benefit of Registered Seamen, &c. who by Age, Wounds or other Accidents shall be disabled for future Service at Sea, and shall not be able to maintain themselves comfortably, and the Children of such disabled Seamen, and the Widows and Children of such of them as shall happen to be Slain, Kill'd or Drown'd in Sea-Service, so far forth as the Hospital shall be capable to receive them, and the Revenue thereof to maintain them. Every such Seaman, &c. Registered and Disabled, shall upon Certificate in manner as directed by the said Statute be admitted and placed in the said Hospital, and shall

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be

be provided out of the Revenues of the said Hospital, according to the Rules and Orders to be provided and settled for the said Hospital, convenient Lodging, Meat, Drink, Cloaths, and other Necessaries and Conveniencies, and the Widows and Children of such Slain, Registered Seaman to be in like manner received and provided for.

Persons so received into the Hospital, and relieved, to be in Order of Time, as appearing on the Registry Book of Seamen.

And forasmuch as there may be divers Persons so Registered and disabled, and divers of the Widows and Children of such Registered Seamen may at one and the same time stand in need, and by the said Act claim the Bounties and Advantages aforesaid, It is Enacted, For the abolishing all Partiality and Favour, That all and every such Persons who by the said Act may claim any of the said Bounties, Provisions or Allowances, shall be received into the said Hospital, and maintained, upon Certificates to be had in manner as by the recited Act is provided, in succession one after another, as the Person Registered shall be and appear in Course and Order of Time to be upon the Registry Book of Seamen, And the Widows and Children of the Persons longest Registered always to be preferred and

ad.

THE HISTORY OF THE
CITY OF BOSTON
FROM 1630 TO 1800

THE HISTORY OF THE
CITY OF BOSTON
FROM 1630 TO 1800
BY
JOHN H. COLEMAN
OF THE
BOSTON PUBLIC LIBRARY
PUBLISHED BY
THE BOSTON PUBLIC LIBRARY
1890

admitted into the said Hospital, and the Benefits thereof to be employed in manner as aforesaid.

II. For greater ease to all and every Seamen who have liberty to Register themselves, Every such Seaman from and after the Tenth day of April next ensuing, bringing or causing to be brought a Certificate in manner as the said Act directs, of the Place of his Abode, and in case of Removal, a new Certificate under the Hand of any one or more Justices of the Peace of the Place and County where he lives in such and the like manner as the said Act directs, and be also Intituled to all and every the Benefits and Advantages given in and by the said Act, as well for himself as his Wife, Widow and Children. The said Justices giving such Certificate, is required to make strict inquiry into the truth of the Contents of the Certificate so by them to be given, and to examine the Parties so bearing the Certificate on Oath, if Hall see occasion. And if on Examination the said Justice shall find any Fraud, such Justices are required to Certifie the same to the Commissioners of the Admiralty,

Certificate under the Hand of one Justice of Peace sufficient Warrant to Register Seaman.

And to have like Benefit,

Justices to Examine into truth of Certificate on Oath,

And (if find
any fraud) to
certific.

ralty, or Lord High Admiral, that
such fraud and Deceit may be pre-
vented.

Masters Mates
and their
Wives and
Children to
have Benefits
and advanta-
ges of the Act

III. It is Enacted, That if any
Person Registered, and who are or
shall be rated to the Degree of Ma-
ster's Mate in any of His Majesties
Ships of War, and the Wives
and Children of such Master's Mate
are declared and enabled to have and
enjoy all and every the Benefits,
Advantages and Bounties given to
any other Persons so Registered, as
to their Wives and Children.

What persons
above Fifty
may Register
themselves.

IV. It is Enacted. That from and
after the Tenth day of April next,
all and every such Seamen who are
above the Age of Fifty, and who by
the said Act might Register them-
selves in manner as aforesaid, in case
they were not of such Age, and who
shall appear by the Books of the Na-
vy-Office to have faithfully served on
Board any of His Majesties Ships
for the space of Seven Years past,
without wilful deserting the same,
shall upon producing Certificate un-
der the hand of one Justice of Peace
in manner aforesaid, be Registered,
and such Person so Registered, and
their Wives and Children, Execu-
tors and Administrators, to have and
enjoy

THE FIRST PART OF THE HISTORY OF THE
LIFE OF THE LATE KING OF SWEDEN

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This shot repeats the previous one, but with different lighting.

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And (if find any fraud) to certifye.

ralty, or Lord High Admiral, that such Fraud and Deceit may be prevented.

Masters Mates and their Wives and Children to have Benefits and advantages of the Act

III. It is Enacted, That if any Person Registered, and who are or shall be raised to the Degree of Master's Mate in any of His Majesties Ships of War, and the Wives and Children of such Master's Mate are declared and enabled to have and enjoy all and every the Benefits, Advantages and Bounties given to any other Persons so Registered, or to their Wives and Children.

What persons above Fifty may Register themselves.

IV. It is Enacted. That from and after the Tenth day of April next, all and every such Seamen who are above the Age of Fifty, and who by the said Act might Register themselves in manner as aforesaid, in case they were not of such Age, and who shall appear by the Books of the Navy-Office to have faithfully served on Board any of His Majesties Ships for the space of Seven Years past, without wilful deserting the same, shall upon producing Certificate under the hand of one Justice of Peace in manner aforesaid be Registered, and such Person so Registered, and their Wives and Children, Executors and Administrators, to have and enjoy

enjoy the several and respective Privileges in the said Act.

XXV. Proviso, That no Person above Fifty shall after the said Tenth of April be permitted to Register themselves without giving such reasons for the omitting the Registering themselves as shall be approved by Commissioners of the Admiralty, or any Three or more of them, or the Lord High Admiral, or the Commissioners of the Navy, or any Three of them, or such Persons as shall be appointed by the King for keeping the said Register.

Persons of 50 not to be Registered until give reason for omitting Registering before.

XXVI. For the better levying and collecting the Duties of Six Pence per Mensen, given and granted by the said recited Act for the Revenues and support of the said Hospital, &c. It shall be lawful for Commissioners appointed for Registering of Seamen or their respective Deputies for time being, for the better discovery of the Pay and Wages due to the Sailors and Persons who served on Board any the Merchants and Privateer Ships or Vessels in the said Act mentioned, to cause all such Masters and Commanders of such Ships not in His Majesties Service, to be and appear before them

Commissioners of the Registry to examine on Oath Masters of Ships for discovery of Seamen's Wages.

To witness
the said

the said Commissioners or the respective Deputies who are hereby impowered all and every such Masters and Commanders upon their Oaths to Examine, as to the Number, Rates, Salaries, Wages and Times of Service of all and every such Person or Persons belonging to or serving in such Ships or Vessels in the said recited Act, and which by the said Act are obliged to Pay the said Duty of Six Pence per Mensen out of their Salaries and Wages as aforesaid. And if such Masters and Commanders, or any of them, shall refuse when Summoned or Commanded to appear before the said respective Persons impowered to Examine them in manner as aforesaid, Or if they shall appear and obstinately refuse to give a plain, full and exact Discovery of the Matters aforesaid upon their Oaths, that then in every such case, all and every such Offendor or Offenders shall for every such Refusal or Neglect forfeit the Sum of 10 l. to the use mentioned in the said recited Act, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesties Courts of Record at Westminster, with full Costs of Suit, Provided, such Masters be not Quakers, or reputed Quakers.

Penalty of
Refusers.



VII. It is Enacted, That every ^{Quakers to be} Master or Commander of a Ship ^{examined.} or Vessel mentioned in the said recited Act, being a Quaker, may and shall be Examined before the said Commissioners appointed for Registering Seamen, or Three or more of them or their Deputys, and the said Commissioners or their Deputies may and shall from Time to Time take the solemn Affirmation and Declaration of such Quakers instead of their Oaths, and in such Manner and Form as by an Act made in the Seventh and Eighth Year of His Majesties Reign is directed, Intituled An Act That the Solemn Affirmation and Declaration of the People called Quakers shall be accepted instead of an Oath in usual Form, And such Quaker refusing to appear on such Summons, or to Answer and Make such Solemn Affirmation or Declaration before the said Commissioners or their Deputy or Deputies, shall be deemed Offenders, and be liable to the same Penalties and Forfeitures mentioned in this Act, for refusing to appear and be Examined on Oath, and Swear as aforesaid.

Persons lending
Register
Certificates.

VIII. Whereas since making the recited Act divers ill Persons Registered, have fraudulently lent their Register Certificates to divers Mariners, Seamen, Watermen, &c. who were not Registered pursuant to the said Act, with intent to keep such Persons not Registered from being Impressed in His Majesties Service, For preventing such evil Practices, It is Enacted, That whatevver Person or Persons so Registered, as aforesaid, shall after the Tenth of April next, directly or indirectly lend to, leave with, or dispose of his or their Certificate, of his or their being Registered, to any Merchant, &c. whereby to keep or protect such Person from being Impressed into His Majesties Service, It shall be lawful for the Lord High Admiral or Commissioners of the Admiralty, or any Three or more of them, to cause such Offenders to be struck out of the said Register, and lose the benefit of the said recited Act, and to be compelled to serve in His Majesties Service, for the space of Six Months, without any Pay, as in case of Registered Man not appearing on Summons to serve in His Majesties Service according to the said Act; And that every Person
who

Punishment
for offenders.



who shall borrow, take or receive for themselves or other Persons, such Certificates, or make use of the same for the intents and purposes aforesaid, shall in all respects suffer the like Pains and Penalties, and to the same Uses as are provided in and by the said recited Statute against such Persons as vouch falsely Persons to be Landmen who are afterwards proved to be Seamen, or shall be compelled to serve His Majesty in Sea Service for the space of Six Months, without Pay or Wages.

Persons borrowing, how to be punished.

IX. Whereas in Jurisdiction of Cinque Ports and their Towns and Members in Kent and Sussex, there are not any Justices of Peace, or Divisions, as in the rest of the Counties, but only Mayors, Bayliffs and their Deputies, It is Enacted, That such Certificate as aforesaid, under the Hand and Seal of any Mayor, or Deputy Mayor, Bayliff or Deputy Bayliff within Jurisdiction of the Cinque Ports, obtained in manner as aforesaid, shall be sufficient where no Justice of the Peace shall be residing within Three Miles of such Port or Town.

Certificate under Mayor, Bayliffs, or Deputies in Cinque Ports, to be as good as Certificates from Justices.

Anno 5 & 6 Will, & Mar.

An Act for Granting to His Majesty certain Duties on Glass-Wares, Stone and Earthen Bottles, Coals and Culm for carrying on the War against *France*.

Sect. 28.
Nota: Allowed to Colliers not to be impressed.

IT is Enacted, That for Encouragement of all such Ships or Vessels as shall be employed in bringing Coals for supplying the City of London, and other Ports of this Kingdom, at more reasonable Rates than during this War they have hitherto been, that from and after the nine and twentieth day of September, there shall be allowed yearly from the fifteenth day of April until the first day of January, free from Impressing, to any Master of any Ship or Vessel employed in the Coal-Trade, two able Seamen (such as the Master shall nominate) for every Ship or Vessel of One Hundred Tun, and one for every Fifty Tun. For every Ship or Vessel of One Hundred Tun and upwards Burthen, according to the

Mast-



Measurement which such a Ship or Vessel shall appear to be of by a Certificate which shall be produced from the Custom-House of what number of Tuns such a Ship or Vessel hath Paid for, by an Act for Levying a Duty on Tunnage of Shipping, And if any Captain, Lieutenant, or other Officer shall by any Authority whatsoever presume to Impress or take any of the Men allowed by this Act, such Captain, Lieutenant or other Officer shall Forfeit to the Master or Owner of such Ship or Vessel, Ten Pounds for every Man he shall so Impress or Take, to be recovered with Costs of Suit, by Action of Debt, Bill, Plaint or Information in any of His Majesties Courts of Record, wherein no Essoigne, &c. shall be allowed, and shall also be made incapable of holding any Place, Office or Imployment in any of His Majesties Ships of War.

Officer offending

Forfeit Ten Pounds, and incapable of Office.

Sect. 32. It is further Enacted, That Nine of the Ships of War, part of the Forty Three which by an Act of that Session were appointed to Cruise in several Stations to Guard the Coasts and the Trade of this Kingdom, are appointed

Nine of Forty Three Cruisers to Cruise on Northern and Western Coasts.

For Protect-
ing Coal-
Trade.

to Cruise or Conboy (that is to say) Six on the Northern Coast, and Six on the Western Coast, in such Stations as shall be directed by Lord High Admiral, or Commissioners of Admiralty for time being, for the better Protecting and Preserving such Ships as shall be employed in the Coal Trade.

The



The Form of the Oath appointed by the Statute Anno 1 Will. & Mar.

I A. B. do sincerely Promise and Swear, That I will be Faithful, and bear true Allegiance to Their Majesties King William and Queen Mary.

So help me God, &c.

I A. B. do Swear, That I do from my Heart, Abhor, Detest and Abjure, as Impious and Heretical, that Damnable Doctrine and Position, That Princes Excommunicated or Deprived by the Pope, or any Authority of the See of Rome, may be Deposed or Murthered by Their Subjects, or any other whatsoever.

And

And I Declare, That no Foreign
 Prince, Person, Prelate, State or
 Potentate, hath or ought to have
 any Jurisdiction, Power, Superio-
 rity, Preeminence or Authority Ec-
 clestialtical or Spiritual within this
 Realm,

So help me God, &c.

FINIS.

- 30015-

Feb 1947

gift

Mrs. Jenn H. Matcalf

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